

OFFICIAL PROCEEDINGS MINNEAPOLIS CITY COUNCIL

REGULAR MEETING OF NOVEMBER 22, 2019

(Published November 30, 2019, in *Finance and Commerce*)

CALL TO ORDER

Council President Bender called the meeting to order at 9:30 a.m. in the Council Chamber, a quorum being present.

Present - Council Members Kevin Reich, Cam Gordon, Steve Fletcher, Jeremiah Ellison, Abdi Warsame, Lisa Goodman, Andrea Jenkins, Lisa Bender, Jeremy Schroeder, Linea Palmisano.

Absent – Council Members Phillipe Cunningham, Alondra Cano, Andrew Johnson.

On motion by Jenkins, the agenda was adopted.

On motion by Jenkins, the minutes of the regular meeting of November 8, 2019, were accepted.

On motion by Jenkins, the petitions, communications, and reports were referred to the proper Committees.

The following actions, resolutions, and ordinances were signed by Mayor Jacob Frey on November 27, 2019. Minnesota Statutes, Section 331A.01, Subd 10, allows for summary publication of ordinances and resolutions in the official newspaper of the city. A complete copy of each summarized ordinance and resolution is available for public inspection in the Office of City Clerk.

REPORTS OF STANDING COMMITTEES

The COMMITTEE OF THE WHOLE submitted the following report:

COUNCIL ACTION 2019A-0946

The Minneapolis City Council hereby directs the City Coordinator's Office of Arts, Culture, and Creative Economy to continue to convene and staff the internal workgroup to create a draft tactical plan that includes a budget and timeline as well as policy and administrative changes to implement the set of recommendations that: 1) grow the City's current capacity to support public art, the creative economy, and creative cultural work and 2) better align the City's internal structure to accelerate the achievement of the City's racial equity goals and the successful implementation of the City's Cultural Districts initiative as adopted in the 2040 Comprehensive Plan.

The workgroup shall be comprised of the Office of the City Coordinator, the Office of Arts, Culture, & Creative Economy, the Department of Community Planning & Economic Development, the Department of Public Works, the City Attorney's Office, Finance and Property Services, and Intergovernmental Relations. To achieve proper oversight, the workgroup shall provide two distinct internal briefings to the Mayor and the City Council prior to the presentation of the final draft plan.

The workgroup shall meet on a bi-weekly basis, with the first meeting taking place no later than the end of December 2019 and with a final draft plan presented to the full City Council on or before April 30, 2020, at the Committee of the Whole.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Bender, Schroeder, Palmisano (10)

Noes: (0)

Absent: Cunningham, Cano, Johnson (3)

Adopted.

The ECONOMIC DEVELOPMENT & REGULATORY SERVICES Committee submitted the following report:
COUNCIL ACTION 2019A-0947

The Minneapolis City Council hereby approves the application for North Loop Galley, 729 WASHINGTON AVE N Minneapolis, MN, (Ward 3) submitted by North Loop Galley LLC, BLLiquor, LIC380990, for an On Sale Liquor with Sunday Sales, Limited Entertainment License, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Bender, Schroeder, Palmisano (10)

Noes: (0)

Absent: Cunningham, Cano, Johnson (3)

Adopted.

On behalf of the Economic Development & Regulatory Services Committee, Goodman offered Resolution 2019R-359 giving preliminary and final approval to and authorizing the issuance of up to \$9,000,000 in 501 I(3) tax-exempt revenue bonds for Educational Properties, Inc. for the acquisition and renovation of a facility located at 300 Industrial Blvd NE for the benefit of Northeast College Prep Charter School.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2019R-359
By Goodman

Providing final approval of and authorizing the issuance, sale, and delivery of charter school lease revenue bonds for the Northeast College Prep Project at 300 Industrial Blvd NE, Series 2019, in one or more series; approving the forms of and authorizing the execution and delivery of the bonds and related documents; providing for the security, rights, and remedies with respect to the bonds; and granting approval for certain other actions with respect thereto.

Whereas, the City of Minneapolis, a municipal corporation and home rule city and political subdivision of the State of Minnesota (the “City”), is duly organized and existing under its Charter and the Constitution and laws of the State of Minnesota; and

Whereas, the City is authorized by the provisions of the Minnesota Municipal Industrial Development Act, Minnesota Statutes, Sections 469.152 through 469.1655, as amended (the “Act”), to issue revenue bonds to finance, in whole or in part, the costs of the acquisition, construction, reconstruction, improvement, betterment, or extension of a project comprised of any properties, real or personal, used or useful in connection with a revenue producing enterprise, whether or not operated for profit, or any combination of two or more such enterprises engaged in any business; and

Whereas, in connection with the issuance of such revenue bonds, the City is further authorized to enter into a revenue agreement with a contracting party under which the contracting party agrees to make payments as necessary to provide for the prompt payment of the principal of and interest on such revenue bonds, and the contracting party is authorized to mortgage or otherwise encumber or grant a security interest in any project and its revenues to secure the timely payment of the revenue bonds issued by the City under the Act; and

Whereas, Educational Properties NECP, LLC, a Minnesota nonprofit limited liability company (the “Company”), the sole member of which is Educational Properties, Inc., a Delaware nonprofit corporation (the “Sole Member”), and Northeast College Prep, a public charter school, Minnesota nonprofit corporation and 501(c)(3) organization (the “School”), have requested that the City issue its: (i) Charter School Lease Revenue Bonds (Northeast College Prep Project), Series 2019A (the “Series 2019A Bonds”); and (ii) Taxable Charter School Lease Revenue Bonds (Northeast College Prep Project), Series 2019B (the “Series 2019B Bonds,” and collectively with the Series 2019A Bonds, the “Series 2019 Bonds”); and

Whereas, the proceeds of the Series 2019 Bonds are proposed to be applied to the following purposes: (i) the acquisition, renovation, and equipping of an approximately 65,810 square-foot existing building located at 300 Industrial Boulevard NE in the City, for use as a public charter school facility for grades kindergarten through eight (the “Project”); (ii) the funding of a reserve fund to secure the timely payment of the Series 2019 Bonds; and (iii) the payment of the costs of issuing the Series 2019 Bonds. The Project will be owned by the Company (or an affiliate, related entity, or successor) or the Sole Member (the “Borrower”), and leased to and operated by the School; and

Whereas, the City may not undertake the Project under the Act unless the City Council of the City (the “Council”) finds that the Project furthers the purposes of the Act nor until the Commissioner of the Minnesota Department of Employment and Economic Development (“DEED”) has approved the Project as tending to further the purposes and policies of the Act; and

Whereas, under the provisions of Section 147(f) of the Internal Revenue Code of 1986, as amended (the “Code”), and regulations promulgated thereunder, prior to the issuance of the Series 2019 Bonds the governmental unit which issues the Series 2019 Bonds or on behalf of which the Series 2019 Bonds are issued must conduct a public hearing on the proposed issuance of the Series 2019 Bonds and the financing of the Project; and

Whereas, under the provisions of Section 469.154, subdivision 4, of the Act, prior to submitting an application to DEED for approval of the Project, the Council or a committee of the Council must conduct a public hearing on the proposal to undertake and finance the Project; and

Whereas, on November 12, 2019, the Economic Development & Regulatory Services Committee of the Council conducted a public hearing on the issuance of the Series 2019 Bonds and the financing of the Project; and

Whereas, a notice of public hearing (the “Public Notice”), which provided a general description of the Project, the maximum aggregate principal amount of the Series 2019 Bonds to be issued to finance the Project, the identity of the initial owner or principal user of the of the Project, the location of the Project, and a statement that a draft copy of the proposed application to DEED, together with all attachments and exhibits, would be available for inspection at the offices of the City following the publication of the Public Notice, was published as required by Section 469.154, subdivision 4, of the Act and Section 147(f) of the Code in *Finance and Commerce*, the official newspaper of the City, and the *Star Tribune*, a newspaper circulating generally in the City, on October 26, 2019, a date at least fourteen (14) days before the public hearing conducted on November 12, 2019; and

Whereas, on Tuesday, November 12, 2019, the Economic Development and Regulatory Services Committee of the Council conducted a public hearing on the issuance of the Series 2019 Bonds and the financing of the Project, at which a reasonable opportunity was provided for interested individuals to express their views on the proposed issuance of the Series 2019 Bonds and the financing of the Project;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the actions of the staff of the City in establishing the date for the public hearing, preparing the Public Notice, and publishing the Public Notice in the official newspaper and in a newspaper of general circulation in the City are hereby ratified and confirmed.

Be It Further Resolved that it is hereby found and determined that the Project furthers the purposes set forth in the Act, and the Project constitutes a “project” within the meaning of Section 469.153, subdivision 2(b) of the Act.

Be It Further Resolved that, to finance the acquisition, renovation and equipping of the Project and related costs, the City authorizes the issuance of the Series 2019 Bonds in a principal amount not to exceed \$9,000,000. The Series 2019 Bonds may be issued in no more than two series as determined by the Finance Officer of the City, and the designation of the Series 2019 Bonds may be altered in any manner determined by the Finance Officer in the discretion of the Finance Officer. The Series 2019 Bonds shall be issued under the terms of an Indenture of Trust, dated on or after December 1, 2019 (the “Indenture”), between the City and U.S. Bank National Association, a national banking association, as trustee (the “Trustee”). The Series 2019 Bonds shall bear interest at fixed rates established by the terms of the Indenture. The Series 2019 Bonds shall be designated, shall be numbered, shall be dated, shall mature, shall be subject to redemption prior to maturity, shall be in such form, and shall have such other terms, details, and provisions as are prescribed in the Indenture, in substantially the form on file with the City, with the amendments referenced herein.

Be It Further Resolved that the City hereby authorizes a series of the Series 2019 Bonds to be issued as “tax-exempt bonds” the interest on which is excludable from gross income for federal and State of Minnesota income tax purposes. Any separate series of Series 2019 Bonds may be issued as “taxable bonds” if deemed necessary and appropriate by the Finance Officer and bond counsel.

Be It Further Resolved that the Finance Officer is hereby authorized to execute the Series 2019 Bonds on behalf of the City and to deliver the Series 2019 Bonds to the initial purchaser.

Be It Further Resolved that all of the provisions of the Series 2019 Bonds, when executed as authorized herein, shall be deemed to be a part of this resolution as fully and to the same extent as if incorporated verbatim herein and shall be in full force and effect from the date of execution and delivery thereof. The Series 2019 Bonds are hereby approved, with such variations, omissions, and insertions (including changes to the aggregate principal amount of each series of Series 2019 Bonds, the stated maturities of each series of Series 2019 Bonds, the principal amount of Series 2019 Bonds maturing on each maturity date, the interest rates on the Series 2019 Bonds, and the terms of redemption of the Series 2019 Bonds) as the Finance Officer shall determine to be necessary and appropriate to carry out the intent of this resolution. The execution of the Series 2019 Bonds with the manual or facsimile signature of the Finance Officer and the delivery of the Series 2019 Bonds by the City shall be conclusive evidence of such determination.

Be It Further Resolved that the Finance Officer is hereby authorized to execute and deliver the Indenture on behalf of the City. The Indenture shall provide the terms and conditions, covenants, rights, obligations, duties, and agreements of the owners of the Series 2019 Bonds, the City, and the Trustee as set forth therein. All of the provisions of the Indenture, when executed as authorized herein, shall be deemed to be a part of this resolution as fully and to the same extent as if incorporated verbatim herein and shall be in full force and effect from the date of execution and delivery thereof. The Indenture shall be substantially in the form on file with the City, which is hereby approved, with such necessary and appropriate variations, omissions, and insertions as do not materially change the substance thereof, as the Finance Officer shall determine, in the discretion of the Finance Officer, and the execution thereof by the Finance Officer shall be conclusive evidence of such determination.

Be It Further Resolved that the proceeds derived from the sale of the Series 2019 Bonds are hereby authorized to be loaned to the Borrower under the terms and conditions of a Loan Agreement, dated on or after December 1, 2019 (the "Loan Agreement"), between the City and the Borrower. The loan repayments to be made by the Borrower under the Loan Agreement are fixed to produce revenues sufficient to provide for the prompt payment of principal of, premium, if any, and interest on the Series 2019 Bonds issued under this resolution when due, and the Loan Agreement also provides that the Borrower is required to pay all expenses of the operation and maintenance of the Project, including, but without limitation, adequate insurance thereon and insurance against all liability for injury to persons or property arising from the operation thereof, and all lawfully imposed taxes and special assessments levied upon or with respect to the Project and payable during the term of the Loan Agreement.

Be It Further Resolved that the Finance Officer is hereby authorized to execute and deliver the Loan Agreement on behalf of the City. All of the provisions of the Loan Agreement, when executed as authorized herein, shall be deemed to be a part of this resolution as fully and to the same extent as if incorporated verbatim herein and shall be in full force and effect from the date of execution and delivery thereof. The Loan Agreement shall be substantially in the form on file with the City, which is hereby approved, with such necessary and appropriate variations, omissions, and insertions as do not materially change the substance thereof, as the Finance Officer shall determine, in the discretion of the Finance Officer, and the execution thereof by the Finance Officer shall be conclusive evidence of such determination.

Be It Further Resolved that the Series 2019 Bonds shall be special, limited obligations of the City payable solely from the following revenues of the Borrower and other security provided by the Borrower and the

School: (i) the revenues derived from the Loan Agreement; (ii) a pledge and assignment of all School revenues, including money due to the School from the State of Minnesota Lease Aid Payment Program (the "Program"); (iii) an agreement to pay all money due to the School from the Program to a dedicated account subject to a monthly sweep to the Trustee funds and accounts for the benefit of the holders of the Series 2019 Bonds; (iv) other revenues pledged to or otherwise received by the Borrower, except for those revenues necessary for ordinary operational expenses and required under Minnesota law; (v) a debt service reserve fund to be held by the Trustee for the benefit of the holders of the revenue bonds; (vi) a supplemental reserve fund to be held by the Trustee for the benefit of the holders of the revenue bonds; (vii) a first mortgage and security agreement granted by the Borrower with respect to the Project; (viii) an operating reserve fund; and (ix) other security provided or arranged by the Borrower or the School.

Be It Further Resolved that the revenues and security pledged to the Series 2019 Bonds are pledged, assigned, and granted under the following documents: (i) a Mortgage, Security Agreement and Assignment Rents, to be dated on or after December 1, 2019 (the "Mortgage"), from the Borrower, as mortgagor, to the Trustee, as mortgagee; (ii) an Assignment of Lease, dated on or after December 1, 2019 (the "Assignment"), from the Borrower, as assignor, to the Trustee, as assignee; and (iii) the Pledge and Covenant Agreement, dated on or after December 1, 2019 (the "Pledge Agreement"), from the School to the Trustee. The proceeds of the Series 2019 Bonds will be disbursed under the terms and conditions of a Disbursing Agreement, dated on or after December 1, 2019 (the "Disbursing Agreement"), among the Borrower, the Trustee, and a title insurance company selected by the Borrower and the School, as disbursing agent, and will be subject to the provisions of a Tax Regulatory Agreement, dated on or after December 1, 2019 (the "Tax Regulatory Agreement"), among the Borrower, the School, and the Trustee.

Be It Further Resolved that, as provided in the Loan Agreement, the Series 2019 Bonds shall not be payable from nor charged upon any funds other than the revenues pledged to their payment, nor shall the City be subject to any liability thereon, except as otherwise provided in this paragraph. No holder of the Series 2019 Bonds shall ever have the right to compel any exercise by the City of any taxing powers to pay the Series 2019 Bonds or the interest or premium thereon, or to enforce payment thereof against any property of the City except the interests of the City in the Loan Agreement and the revenues and assets thereunder, which will be assigned to the Trustee under the terms of the Indenture. The Series 2019 Bonds shall recite that the Series 2019 Bonds are issued pursuant to the Act, and that the Series 2019 Bonds, including interest and premium, if any, thereon, are payable solely from the revenues and assets pledged to the payment thereof, and the Series 2019 Bonds shall not constitute a debt of the City within the meaning of any constitutional or statutory limitations.

Be It Further Resolved that the Finance Officer is hereby authorized and directed to execute and deliver a Bond Purchase Agreement, among the City, Robert W. Baird & Co. Incorporated (the "Underwriter"), the Borrower, and the School (the "Bond Purchase Agreement"), and such additional agreements as bond counsel to the City considers appropriate in connection with the issuance of the Series 2019 Bonds (collectively, the "Financing Documents"). All of the provisions of the Financing Documents, when executed and delivered as authorized herein, shall be deemed to be a part of this resolution as fully and to the same extent as if incorporated verbatim herein and shall be in full force and effect from the date of execution and delivery thereof. The Financing Documents shall be substantially in the forms on file with the City which are hereby approved, with such omissions and insertions as do not materially change the substance thereof, as the Finance Officer, in the discretion of the Finance Officer, shall determine, and the execution of the Financing Documents by the Finance Officer shall be conclusive evidence of such determination.

Be It Further Resolved that the Finance Officer and other officers, employees, and agents of the City are hereby authorized to execute and deliver, on behalf of the City, such other documents as are necessary or appropriate in connection with the issuance, sale, and delivery of the Series 2019 Bonds, including: (i) an application to DEED for approval of the Project; (ii) a general certificate of the City and a receipt and authorization certificate of the City to the Trustee; (iii) a Uniform Commercial Code financing statement of the City; (iv) an Information Return for Tax-Exempt Private Activity Bond Issues—Internal Revenue Service Form 8038; (v) an endorsement of the City to the tax certificate of the Borrower and the School as to arbitrage and rebate and other tax matters; and (vi) similar documents.

Be It Further Resolved that the City hereby approves the execution and delivery by the Trustee of the Indenture and all other instruments, certificates, and documents prepared in conjunction with the issuance of the Series 2019 Bonds that require execution by the Trustee. The Trustee is hereby appointed as bond registrar and paying agent with respect to the Series 2019 Bonds. The City hereby authorizes Kennedy & Graven, Chartered, as bond counsel of the City, to prepare, execute, and deliver its approving legal opinion with respect to the Series 2019 Bonds.

Be It Further Resolved that the City will not participate in the preparation of a Preliminary Official Statement or an Official Statement relating to the offer and sale of the Series 2019 Bonds (collectively, the "Official Statement"), and will make no independent investigation with respect to the information contained therein (other than with respect to information provided under the captions "THE ISSUER" and "ABSENCE OF LITIGATION – The Issuer," as it relates to the City), including the appendices thereto, and the City assumes no responsibility for the sufficiency, accuracy, or completeness of such information. Subject to the foregoing, the City hereby consents to the distribution and the use by the Underwriter of the Official Statement in connection with the offer and sale of the Series 2019 Bonds. The Official Statement is the sole material consented to by the City for use in connection with the offer and sale of the Series 2019 Bonds.

Be It Further Resolved that except as otherwise provided in this resolution, all rights, powers, and privileges conferred and duties and liabilities imposed upon the City or the Council by the provisions of this resolution or of the aforementioned documents shall be exercised or performed by the City or by such members of the Council, or such officers, board, body, or agency thereof as may be required or authorized by law to exercise such powers and to perform such duties. No covenant, stipulation, obligation, or agreement herein contained or contained in the aforementioned documents shall be deemed to be a covenant, stipulation, obligation, or agreement of any member of the Council, or any officer, agent, or employee of the City in that person's individual capacity, and neither the Council nor any officer or employee executing the Series 2019 Bonds shall be liable personally on the Series 2019 Bonds or be subject to any personal liability or accountability by reason of the issuance thereof.

Be It Further Resolved that no provision, covenant, or agreement contained in the aforementioned documents, the Series 2019 Bonds or in any other document relating to the Series 2019 Bonds, and no obligation therein or herein imposed upon the City or the breach thereof, shall constitute or give rise to any pecuniary liability of the City or any charge upon its general credit or taxing powers. In making the agreements, provisions, covenants, and representations set forth in such documents, the City has not obligated itself to pay or remit any funds or revenues, other than funds and revenues derived from the Loan Agreement which are to be applied to the payment of the Series 2019 Bonds, as provided therein and in the Indenture.

Be It Further Resolved that except as herein otherwise expressly provided, nothing in this resolution or in the aforementioned documents expressed or implied, is intended or shall be construed to confer upon any person or firm or corporation, other than the City or any holder of the Series 2019 Bonds issued under the provisions of this resolution, any right, remedy, or claim, legal or equitable, under and by reason of this resolution or any provisions hereof, this resolution, the aforementioned documents and all of their provisions being intended to be and being for the sole and exclusive benefit of the City and any holder from time to time of the Series 2019 Bonds issued under the provisions of this resolution.

Be It Further Resolved that in case any one or more of the provisions of this resolution, other than the provisions limiting the liability of the City, or of the aforementioned documents, or of the Series 2019 Bonds issued hereunder shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provision of this resolution, or of the aforementioned documents, or of the Series 2019 Bonds, but this resolution, the aforementioned documents, and the Series 2019 Bonds shall be construed and endorsed as if such illegal or invalid provisions had not been contained therein.

Be It Further Resolved that the Series 2019 Bonds, when executed and delivered, shall contain a recital that they are issued pursuant to the Act, and such recital shall be conclusive evidence of the validity of the Series 2019 Bonds and the regularity of the issuance thereof, and that all acts, conditions, and things required by the laws of the State of Minnesota relating to the adoption of this resolution, to the issuance of the Series 2019 Bonds, and to the execution of the aforementioned documents to happen, exist, and be performed precedent to the execution of the aforementioned documents have happened, exist, and have been performed as so required by law.

Be It Further Resolved that the Finance Officer and other officers of the City, bond counsel, other attorneys, engineers, and other agents or employees of the City are hereby authorized to do all acts and things required of them by or in connection with this resolution, the aforementioned documents, and the Series 2019 Bonds for the full, punctual, and complete performance of all the terms, covenants, and agreements contained in the Series 2019 Bonds, the aforementioned documents, and this resolution. In the event that for any reason the Finance Officer is unable to carry out the execution of any of the documents or other acts provided herein, such documents may be executed and such actions may be taken by any official or employee of the City delegated the duties of the Finance Officer with the same force and effect as if such documents were executed and delivered by the Finance Officer.

Be It Further Resolved that the Borrower has agreed and it is hereby determined that any and all costs incurred by the City in connection with the financing of the Project will be paid by the Borrower. It is understood and agreed that the Borrower shall indemnify, defend, and hold harmless the City against all liabilities, losses, damages, costs, and expenses (including attorneys' fees and expenses incurred by the City) arising with respect to the Project or the Series 2019 Bonds, as provided for and agreed to by and between the Borrower and the City in the Loan Agreement.

Be It Further Resolved that on any date subsequent to the date of issuance of the Series 2019 Bonds, the Finance Officer is hereby authorized to execute and deliver any amendments or supplements to any of the documents referred to in this resolution or other documents executed and delivered in connection with the issuance of the Series 2019 Bonds if, after review by bond counsel and the City Attorney, the Finance Officer determines that the execution and delivery of such amendment or supplement is not materially inconsistent with this resolution. The Finance Officer may impose any terms or conditions on the execution and delivery of any such amendment or supplement as the Finance Officer deems appropriate. The authorization hereby given shall be further construed as authorization for the execution

and delivery of such certificates and related items as may be required to demonstrate compliance with the agreements being amended and the terms of this resolution. The execution of any instrument by the Finance Officer shall be conclusive evidence of the approval of such instruments in accordance with the terms hereof.

Be It Further Resolved that the Series 2019 Bonds are hereby designated “Program Bonds” and are determined to be within the “Economic Development Program” and the “Program,” all as defined in Resolution 88R-021 of the City adopted January 29, 1988, and as amended by Resolution 97R-402 of the City adopted December 12, 1997.

Be It Further Resolved that under the provisions of Article IV, Section 4.4(d), of the Charter of the City this resolution shall take effect and be in force from and after its approval and publication, but only the title of this resolution and a summary, as defined in Minnesota Statutes, Section 331A.01, subdivision 10, of this resolution are required to be published in the official paper of the City.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Bender, Schroeder, Palmisano (10)

Noes: (0)

Absent: Cunningham, Cano, Johnson (3)

Adopted.

On behalf of the Economic Development & Regulatory Services Committee, Goodman offered resolutions directing the Director of the Hennepin County Property Taxation Department to place assessments against certain properties to defray the cost of certain conditions as follows:

1. Resolution 2019R-360 abating nuisance conditions in accordance with Chapter 227 of the Minneapolis Code of Ordinances for levy numbers 1080, 1081, and 1084.
2. Resolution 2019R-361 relating to unpaid administrative citations and civil fines issued in accordance with Chapter 2 of the Minneapolis Code of Ordinances for levy number 1089.
3. Resolution 2019R-362 relating to unpaid administrative citations and civil fines issued in accordance with Chapter 2 of the Minneapolis Code of Ordinances for levy number 1090.
4. Resolution 2019R-363 registering vacant properties in accordance with Chapter 249 of the Minneapolis Code of Ordinances for levy number 1095.
5. Resolution 2019R-364 registering vacant properties in accordance with Chapter 249 of the Minneapolis Code of Ordinances for levy number 1096.
6. Resolution 2019R-365 relating to reinspection fees in accordance with Chapter 244 Section 190 of the Minneapolis Code of Ordinances for levy number 1097.
7. Resolution 2019R-366 securing any building or structure rendered uninhabitable or unoccupied and open to trespass as a result of lawful police action in accordance with Chapter 171 of the Minneapolis Code of Ordinances for levy number 1098.
8. Resolution 2019R-367 relating to unpaid administrative citations and civil fines issued in accordance with Chapter 2 of the Minneapolis Code of Ordinances for levy number 1120.
9. Resolution 2019R-368 relating to unpaid administrative citations and civil fines issued in accordance with Chapter 2 of the Minneapolis Code of Ordinances for levy number 1121.
10. Resolution 2019R-369 relating to unpaid administrative citations and civil fines issued in accordance with Chapter 2 of the Minneapolis Code of Ordinances for levy number 1125.
11. Resolution 2019R-370 relating to unpaid administrative citations and civil fines issued in accordance with Chapter 2 of the Minneapolis Code of Ordinances for levy number 1126.

12. Resolution 2019R-371 relating to the cost of demolition to remove special hazards on properties in accordance with Chapter 249 of the Minneapolis Code of Ordinances for levy number 1159.
13. Resolution 2019R-372 relating to unpaid administrative citations and civil fines issued in accordance with Chapter 2 of the Minneapolis Code of Ordinances for levy number 1165.
14. Resolution 2019R-373 relating to reinspection fees in accordance with Chapter 525 Section 570 of the Minneapolis Code of Ordinances for levy number 1176.
15. Resolution 2019R-374 for levy number 1088, to defray the cost court-appointed administrator repairs issued in accordance with Tenant Remedy Act assessments authorized under Chapter 244 Section 185 of the Minneapolis Code of Ordinances.

The following is the complete text of the unpublished summarized resolutions.

RESOLUTION 2019R-360
By Warsame

Directing the Director of the Hennepin County Property Taxation Department to place assessments against certain properties to defray the cost of abating nuisance conditions in accordance with Chapter 227 of the Minneapolis Code of Ordinances.

Whereas, the Director of Regulatory Services is authorized under Chapter 227 of the Minneapolis Code of Ordinances to abate nuisances relating to offensive matter on private premises including rubbish, long grass and weeds, brush and plant growth and dead trees; and

Whereas, the City Charter of the City of Minneapolis provides that costs incurred in the removal of nuisance conditions shall be levied and collected as a special assessment against the properties;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the costs incurred in the removal of offensive matter are hereby approved and that such costs are assessed against the properties.

Be It Further Resolved that Levy Numbers 1080 (Rubbish Removal), 1081 (Vegetation Removal), and 1084, 1160, and 1161 (Hazardous Tree Removal) be approved and transmitted to the Hennepin County Taxation Department and that the Director of Hennepin County Property Taxation Department be directed to place assessments against the specified properties to defray the costs of work performed under authorization of the Inspections Division to abate nuisances on private properties.

Be It Further Resolved that Levy Number 1080, 1081, and 1084 be payable in a single installment with interest thereon at eight percent (8%), that Levy Number 1160 be paid in five (5) equal annual installments with interest thereon at eight percent (8%) per annum, and that Levy Number 1161 be paid in ten (10) equal annual installments with interest thereon at eight percent (8%) per annum, as set forth in Legislative File No. 2019-01269 on file in the Office of the City Clerk.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Bender, Schroeder, Palmisano (10)

Noes: (0)

Absent: Cunningham, Cano, Johnson (3)

Adopted.

RESOLUTION 2019R-361

By Warsame

Directing the Director of the Hennepin County Property Taxation Department to place assessments against certain properties to defray the cost for unpaid administrative citations and civil fines issued in accordance with Chapter 2 of the Minneapolis Code of Ordinances.

Whereas, the City Council of the City of Minneapolis did determine that certain properties were in violation of the Minneapolis Code of Ordinances and met the criteria stated in Chapter 2 to issue administrative citations and were authorized by the Director of Housing Inspections to have the penalties levied against the property in cases where property owners failed to pay the required administrative citation penalty; and

Whereas, Chapter 2 provides that the unpaid penalties associated with an administrative citation as defined by Chapter 2 shall be levied and collected as a special assessment against the property as provided for in Chapter 10 of the Minneapolis Charter.

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the costs incurred for unpaid Housing Inspections administrative citations are hereby approved and that such costs be assessed against the properties.

Be it Further Resolved that Levy Number 1089 be approved and transmitted to the Hennepin County Taxation Department and that the Director of Hennepin County Property Taxation Department be directed to place assessments against the specified properties to be paid in a single installment with interest thereon at eight percent (8%), as set forth in Legislative File No. 2019-01269 on file at the Office of the City Clerk.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Bender, Schroeder, Palmisano (10)

Noes: (0)

Absent: Cunningham, Cano, Johnson (3)

Adopted.

RESOLUTION 2019R-362

By Warsame

Directing the Director of the Hennepin County Property Taxation Department to place assessments against certain properties to defray the cost for unpaid administrative citations and civil fines issued in accordance with Chapter 2 of the Minneapolis Code of Ordinances.

Whereas, the City Council of the City of Minneapolis did determine that certain properties were in violation of the Minneapolis Code of Ordinances and met the criteria stated in Chapter 2 to issue administrative citations and were authorized by the Director of Inspections to have the penalties levied against the property in cases where property owners failed to pay the required administrative citation penalty; and

Whereas, Chapter 2 provides that the unpaid penalties associated with an administrative citation as defined by Chapter 2 shall be levied and collected as a special assessment against the property as provided for in Chapter 10 of the Minneapolis Charter.

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the costs incurred for unpaid Lead Hazard Control administrative citations are hereby approved and that such costs be assessed against the properties.

Be it Further Resolved that Levy Number 1090 be approved and transmitted to the Hennepin County Taxation Department and that the Director of Hennepin County Property Taxation Department be directed to place assessments against the specified properties to be paid in a single installment with interest thereon at eight percent (8%), as set forth in Legislative File No. 2019-01269 on file at the Office of the City Clerk.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Bender, Schroeder, Palmisano (10)

Noes: (0)

Absent: Cunningham, Cano, Johnson (3)

Adopted.

RESOLUTION 2019R-363

By Warsame

Directing the Director of the Hennepin County Property Taxation Department to place assessments against certain properties to defray the cost for Building Demolition properties in accordance with Chapter 249 of the Minneapolis Code of Ordinances.

Whereas, the City Council of the City of Minneapolis did determine that certain buildings met the criteria stated in Chapter 249.80 that defines a vacant property and were authorized by the Director of Inspections to have the fee levied against the property in cases where property owners failed to pay the required yearly fee; and

Whereas, Chapter 249 provides that the cost of building demolition property as defined by Chapter 249.80 shall be levied and collected as a special assessment against the property as provided for in Chapter 227 of the Minneapolis Code of Ordinances when the property owner fails to meet the requirement for fee payment;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the costs incurred for Building Demolition properties are hereby approved and that such costs be assessed against the properties.

Be It Further Resolved that Levy Number 1095 be approved and transmitted to the Hennepin County Taxation Department and that the Director of Hennepin County Property Taxation Department be directed to place assessments against the specified properties to be paid in a single installment with

interest thereon at eight percent (8%), as set forth in Legislative File No. 2019-01269 on file in the Office of the City Clerk.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Bender, Schroeder, Palmisano (10)

Noes: (0)

Absent: Cunningham, Cano, Johnson (3)

Adopted.

RESOLUTION 2019R-364

By Warsame

Directing the Director of the Hennepin County Property Taxation Department to place assessments against certain properties to defray the cost for registering vacant properties in accordance with Chapter 249 of the Minneapolis Code of Ordinances.

Whereas, the City Council of the City of Minneapolis did determine that certain buildings met the criteria stated in Chapter 249.80 that defines a vacant property and were authorized by the Director of Inspections to have the fee levied against the property in cases where property owners failed to pay the required yearly fee; and

Whereas, Chapter 249 provides that the cost of registering a vacant property as defined by Chapter 249.80 shall be levied and collected as a special assessment against the property as provided for in Chapter 227 of the Minneapolis Code of Ordinances when the property owner fails to meet the requirement for fee payment;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the costs incurred for registering vacant properties are hereby approved and that such costs be assessed against the properties.

Be It Further Resolved that Levy Number 1096 be approved and transmitted to the Hennepin County Taxation Department and that the Director of Hennepin County Property Taxation Department be directed to place assessments against the specified properties to be paid in a single installment with interest thereon at eight percent (8%), as set forth in Legislative File No. 2019-01269 on file in the Office of the City Clerk.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Bender, Schroeder, Palmisano (10)

Noes: (0)

Absent: Cunningham, Cano, Johnson (3)

Adopted.

RESOLUTION 2019R-365

By Warsame

Directing the Director of the Hennepin County Property Taxation Department to place assessments against certain properties to defray the cost relating to reinspection fees in accordance with Chapter 244 Section 190 of the Minneapolis Code of Ordinances.

Whereas, the City Council of the City of Minneapolis did determine that certain buildings met the criteria stated in Chapter 244.190 that determine reinspection fees and were authorized by the Director of Inspections to have the fees levied against the property in cases where property owners failed to pay the required fee; and

Whereas, Chapter 244.190 provides that the cost of reinspections to gain compliance with housing maintenance orders as defined by Chapter 244.190 shall be levied and collected as a special assessment against the property as provided for in Chapter 227 of the Minneapolis Code of Ordinances and Chapter 429.101 sub. Sec.(9) of Minn. State Statutes when the property owner fails to meet the requirement for fee payment;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the costs incurred for Housing and Fire Inspections reinspection fees are hereby approved and that such costs be assessed against the properties.

Be It Further Resolved that Levy Number 1097 be approved and transmitted to the Hennepin County Taxation Department and that the Director of Hennepin County Property Taxation Department be directed to place assessments against the specified properties to be paid in a single installment with interest thereon at eight percent (8%), as set forth in Legislative File No. 2019-01269 on file in the Office of the City Clerk.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Bender, Schroeder, Palmisano (10)

Noes: (0)

Absent: Cunningham, Cano, Johnson (3)

Adopted.

RESOLUTION 2019R-366

By Warsame

Directing the Director of the Hennepin County Property Taxation Department to place assessments against certain properties to defray the cost of securing any building or structure rendered uninhabitable or unoccupied and open to trespass as a result of lawful police action in accordance with Chapter 171 of the Minneapolis Code of Ordinances.

Whereas, the City Council of the City of Minneapolis is empowered to secure uninhabitable or unoccupied buildings in accordance with Minnesota Statutes Section 463.251; and

Whereas, the Chief of Police did secure such buildings under the authority of the City Council of the City of Minneapolis; and

Whereas, this law provides that the cost of securing such buildings shall be charged against the real estate as provided in Minnesota Statutes, Section 463.21;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the costs of securing unoccupied or uninhabitable buildings open to trespass under the authority of the Chief of Police are hereby approved and that such costs be assessed against the properties.

Be It Further Resolved that Levy Number 1098 be approved and transmitted to the Hennepin County Taxation Department and that the Director of Hennepin County Property Taxation Department be directed to place assessments against the specified properties to be paid in a single installment with interest thereon at eight percent (8%), as set forth in Legislative File No. 2019-01269 on file in the Office of the City Clerk.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Bender, Schroeder, Palmisano (10)

Noes: (0)

Absent: Cunningham, Cano, Johnson (3)

Adopted.

RESOLUTION 2019R-367

By Warsame

Directing the Director of the Hennepin County Property Taxation Department to place assessments against certain properties to defray the cost for unpaid administrative citations and civil fines issued in accordance with Chapter 2 of the Minneapolis Code of Ordinances.

Whereas, the City Council of the City of Minneapolis did determine that certain properties were in violation of the Minneapolis Code of Ordinances and met the criteria stated in Chapter 2 to issue administrative citations and were authorized by the Director of Inspections to have the penalties levied against the property in cases where property owners failed to pay the required administrative citation penalty; and

Whereas, Chapter 2 provides that the unpaid penalties associated with an administrative citation as defined by Chapter 2 shall be levied and collected as a special assessment against the property as provided for in Chapter 10 of the Minneapolis Charter;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the costs incurred for unpaid Combined Sewer Overflow and Rainleader Disconnect administrative citations are hereby approved and that such costs be assessed against the properties.

Be It Further Resolved that Levy Number 1120 be approved and transmitted to the Hennepin County Taxation Department and that the Director of Hennepin County Property Taxation Department be

directed to place assessments against the specified properties to be payable in a single installment with interest thereon at eight percent (8%) per annum, as set forth in Legislative File No. 2019-01269 on file in the Office of the City Clerk.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Bender, Schroeder, Palmisano (10)

Noes: (0)

Absent: Cunningham, Cano, Johnson (3)

Adopted.

RESOLUTION 2019R-368

By Warsame

Directing the Director of the Hennepin County Property Taxation Department to place assessments against certain properties to defray the cost for unpaid administrative citations and civil fines issued in accordance with Chapter 2 of the Minneapolis Code of Ordinances.

Whereas, the City Council of the City of Minneapolis did determine that certain properties were in violation of the Minneapolis Code of Ordinances and met the criteria stated in Chapter 2 to issue administrative citations and were authorized by the Director of Inspections to have the penalties levied against the property in cases where property owners failed to pay the required administrative citation penalty; and

Whereas, Chapter 2 provides that the unpaid penalties associated with an administrative citation as defined by Chapter 2 shall be levied and collected as a special assessment against the property as provided for in Chapter 10 of the Minneapolis Charter;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the costs incurred for unpaid Construction Code Services administrative citations are hereby approved and that such costs be assessed against the properties.

Be It Further Resolved that Levy Number 1121 be approved and transmitted to the Hennepin County Taxation Department and that the Director of Hennepin County Property Taxation Department be directed to place assessments against the specified properties to be paid in a single installment with interest thereon at eight percent (8%), as set forth in Legislative File No. 2019-01269 on file in the Office of the City Clerk.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Bender, Schroeder, Palmisano (10)

Noes: (0)

Absent: Cunningham, Cano, Johnson (3)

Adopted.

RESOLUTION 2019R-369

By Warsame

Directing the Director of the Hennepin County Property Taxation Department to place assessments against certain properties to defray the cost for unpaid administrative citations and civil fines issued in accordance with Chapter 2 of the Minneapolis Code of Ordinances.

Whereas, the City Council of the City of Minneapolis did determine that certain properties were in violation of the Minneapolis Code of Ordinances and met the criteria stated in Chapter 2 to issue administrative citations and were authorized by the Director of Inspections to have the penalties levied against the property in cases where property owners failed to pay the required administrative citation penalty; and

Whereas, Chapter 2 provides that the unpaid penalties associated with an administrative citation as defined by Chapter 2 shall be levied and collected as a special assessment against the property as provided for in Chapter 10 of the Minneapolis Charter;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the costs incurred for unpaid Construction Code Services administrative citations are hereby approved and that such costs be assessed against the properties.

Be It Further Resolved that Levy Number 1125 be approved and transmitted to the Hennepin County Taxation Department and that the Director of Hennepin County Property Taxation Department be directed to place assessments against the specified properties to be paid in a single installment with interest thereon at eight percent (8%), as set forth in Legislative File No. 2019-01269 on file in the Office of the City Clerk.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Bender, Schroeder, Palmisano (10)

Noes: (0)

Absent: Cunningham, Cano, Johnson (3)

Adopted.

RESOLUTION 2019R-370

By Warsame

Directing the Director of the Hennepin County Property Taxation Department to place assessments against certain properties to defray the cost for unpaid administrative citations and civil fines issued in accordance with Chapter 2 of the Minneapolis Code of Ordinances.

Whereas, the City Council of the City of Minneapolis did determine that certain properties were in violation of the Minneapolis Code of Ordinances and met the criteria stated in Chapter 2 to issue administrative citations and were authorized by the Director of Inspections to have the penalties levied against the property in cases where property owners failed to pay the required administrative citation penalty; and

Whereas, Chapter 2 provides that the unpaid penalties associated with an administrative citation as defined by Chapter 2 shall be levied and collected as a special assessment against the property as provided for in Chapter 10 of the Minneapolis Charter;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the costs incurred for unpaid Fire Inspections administrative citations are hereby approved and that such costs be assessed against the properties.

Be It Further Resolved that Levy Number 1126 be approved and transmitted to the Hennepin County Taxation Department and that the Director of Hennepin County Property Taxation Department be directed to place assessments against the specified properties to be paid in a single installment with interest thereon at eight percent (8%), as set forth in Legislative File No. 2019-01269 on file in the Office of the City Clerk.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Bender, Schroeder, Palmisano (10)

Noes: (0)

Absent: Cunningham, Cano, Johnson (3)

Adopted.

RESOLUTION 2019R-371

By Warsame

Directing the Director of the Hennepin County Property Taxation Department to place assessments against certain properties to defray the cost of demolition to remove special hazards on properties in accordance with Chapter 249 of the Minneapolis Code of Ordinances.

Whereas, the City Council of the City of Minneapolis did determine that certain buildings met the criteria stated in Chapter 87.100 that defines a vacant property and were authorized by the Director of Inspections to have the fee levied against the property in cases where property owners failed to pay the required yearly fee; and

Whereas, Chapter 87 provides that the cost of building demolition on a property as defined by Chapter 87.110 shall be levied and collected as a special assessment against the property as provided for in Chapter 87 of the Minneapolis Code of Ordinances when the property owner fails to meet the requirement for fee payment;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the costs incurred for demolition to remove special hazards on properties are hereby approved and that such costs be assessed against the properties.

Be It Further Resolved that Levy Number 1159 be approved and transmitted to the Hennepin County Taxation Department and that the Director of Hennepin County Property Taxation Department be directed to place assessments against the specified properties to be paid in a single installment with

interest thereon at eight percent (8%), as set forth in Legislative File No. 2019-01269 on file in the Office of the City Clerk.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Bender, Schroeder, Palmisano (10)

Noes: (0)

Absent: Cunningham, Cano, Johnson (3)

Adopted.

RESOLUTION 2019R-372

By Warsame

Directing the Director of the Hennepin County Property Taxation Department to place assessments against certain properties to defray the cost for unpaid administrative citations and civil fines issued in accordance with Chapter 2 of the Minneapolis Code of Ordinances.

Whereas, the City Council of the City of Minneapolis did determine that certain properties were in violation of the Minneapolis Code of Ordinances and met the criteria stated in Chapter 2 to issue administrative citations and were authorized by the Director of Inspections to have the penalties levied against the property in cases where property owners failed to pay the required administrative citation penalty; and

Whereas, Chapter 2 provides that the unpaid penalties associated with an administrative citation as defined by Chapter 2 shall be levied and collected as a special assessment against the property as provided for in Chapter 10 of the Minneapolis Charter.

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the costs incurred for unpaid Zoning Enforcement administrative citations are hereby approved and that such costs be assessed against the properties.

Be it Further Resolved that Levy Number 1165 be approved and transmitted to the Hennepin County Taxation Department and that the Director of Hennepin County Property Taxation Department be directed to place assessments against the specified properties to be paid in a single installment with interest thereon at eight percent (8%), as set forth in Legislative File No. 2019-01269 on file at the Office of the City Clerk.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Bender, Schroeder, Palmisano (10)

Noes: (0)

Absent: Cunningham, Cano, Johnson (3)

Adopted.

RESOLUTION 2019R-373

By Warsame

Directing the Director of the Hennepin County Property Taxation Department to place assessments against certain properties to defray the cost relating to reinspection fees in accordance with Chapter 525 Section 570 of the Minneapolis Code of Ordinances.

Whereas, the City Council of the City of Minneapolis did determine that certain buildings met the criteria stated in Chapter 525.570 that determine reinspection fees and were authorized by the Director of Inspections to have the fees levied against the property in cases where property owners failed to pay the required fee; and

Whereas, Chapter 525.570 provides that the cost of reinspections to gain compliance with zoning code orders as defined by Chapter 525.570 shall be levied and collected as a special assessment against the property as provided for in Chapter 227 of the Minneapolis Code of Ordinances and Chapter 429.101 sub. Sec.(9) of Minn. State Statutes when the property owner fails to meet the requirement for fee payment;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the costs incurred for Zoning Enforcement reinspection fees are hereby approved and that such costs be assessed against the properties.

Be It Further Resolved that Levy Number 1176 be approved and transmitted to the Hennepin County Taxation Department and that the Director of Hennepin County Property Taxation Department be directed to place assessments against the specified properties to be paid in a single installment with interest thereon at eight percent (8%), as set forth in Legislative File No. 2019-01269 on file at the Office of the City Clerk.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Bender, Schroeder, Palmisano (10)

Noes: (0)

Absent: Cunningham, Cano, Johnson (3)

Adopted.

RESOLUTION 2019R-374

By Warsame

Directing the Director of the Hennepin County Property Taxation Department to place assessments against certain properties to defray the cost of Tenant Remedy Act repairs in accordance with Chapter 244 of the Minneapolis Code of Ordinances.

Whereas, the Director of Regulatory Services is authorized under Chapter 244 of the Minneapolis Code of Ordinances to reimburse a court-appointed administrator for repairs made at rental properties; and

Whereas, the Minnesota Statutes 504B.445 provides that costs incurred to reimburse a court-appointed administrator for repairs made at repair properties shall be levied and collected as a special assessment against the properties;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the costs incurred in the removal of offensive matter are hereby approved and that such costs are assessed against the properties.

Be It Further Resolved that Levy Number 1088 (Tenant Remedy Act) be approved and transmitted to the Hennepin County Taxation Department and that the Director of Hennepin County Property Taxation Department be directed to place assessments against the specified properties to defray the costs of work performed under authorization of the Inspections Division to abate nuisances on private properties.

Be It Further Resolved that Levy Number 1088 be payable in a single installment with interest thereon at eight percent (8%) as set forth in Legislative File No. 2019-01269 on file in the Office of the City Clerk.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Bender, Schroeder, Palmisano (10)

Noes: (0)

Absent: Cunningham, Cano, Johnson (3)

Adopted.

COUNCIL ACTION 2019A-0948

The Minneapolis City Council hereby approves the following applications (4) for Liquor Licenses, subject to final inspection and compliance with all provisions of applicable codes and ordinances:

1. BAR ZIA, 420 4TH ST S Minneapolis, MN, (Ward 3) submitted by KEEP IT REAL LLC, BLAmend, LIC384681
2. Famous Dave's, 800 LAKE ST W Minneapolis, MN, (Ward 10) submitted by Lake & Hennepin BBQ and Blues Inc, BLLiquor, LIC384370
3. JIMMIE'S OLD SOUTHERN BBQ SMOKEHOUSE, 4501 FRANCE AVE S Minneapolis, MN, (Ward 13) submitted by JIMMIE'S OLD SOUTHERN BBQ SMOKEHOUSE LLC, BLAmend, LIC384879
4. Meteor, 2027 2ND ST N Minneapolis, MN, (Ward 5) submitted by No Consequence LLC, BLLiquor, LIC384417.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Bender, Schroeder, Palmisano (10)

Noes: (0)

Absent: Cunningham, Cano, Johnson (3)

Adopted.

COUNCIL ACTION 2019A-0949

The Minneapolis City Council hereby approves the following application for Liquor License Renewal, subject to final inspection and compliance with all provisions of applicable codes and ordinances:

1. BAR ZIA, 420 4TH ST S Minneapolis, MN, (Ward 3) submitted by KEEP IT REAL LLC, BLLiquor, LIC77725.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Bender, Schroeder, Palmisano (10)

Noes: (0)

Absent: Cunningham, Cano, Johnson (3)

Adopted.

COUNCIL ACTION 2019A-0950

The Minneapolis City Council hereby approves the following applications (2) for Gambling License Renewals, subject to final inspection and compliance with all provisions of applicable codes and ordinances:

1. Eagles Arie #34, 420 4TH ST S Minneapolis, MN, submitted by Eagles Arie #34, BLGeneral, LIC107215
2. EDISON COMMUNITY & SPORTS FOUNDATION, 200 WEST BROADWAY Minneapolis, MN, submitted by EDISON COMMUNITY AND SPORTS FOUNDATION, BLGeneral, LIC67379.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Bender, Schroeder, Palmisano (10)

Noes: (0)

Absent: Cunningham, Cano, Johnson (3)

Adopted.

COUNCIL ACTION 2019A-0951

The Minneapolis City Council hereby rescinds the following City Council actions related to business license operating conditions and/or license settlement conference agreements for El Nuevo Rodeo, 2709 E Lake St, adopted January 27, 2017 (2017A-0057), April 15, 2011(2011R-169), April 30, 2010, September 26, 2008 (2008R-416), June 15, 2007, May 25, 2007 (2007R-264), February 13, 2004, and October 10, 2003; and adopts new License Conference Settlement Recommendations for El Nuevo Rodeo Nightclub, 2709 LAKE ST E Minneapolis, MN, (Ward 2) negotiated between the City and MIDWEST LATINO ENT AND TALENT INC, BLLiquor, LIC79453, allowing the licensee to retain the On Sale Liquor with Sunday Sales, General Entertainment License, subject to adherence with the conditions contained therein, which read as follows:

1. The administrative citations and fines have been negotiated in this agreement. The \$900 will be imposed, with \$900 stayed, on the condition no same or similar violations occur for 24 months after Council approval of this License Settlement Conference agreement
2. Restaurant seating on second floor must be a minimum of 282 seats and first floor 71 seats.
3. The licensee agrees that no adult entertainment shall be offered or occur at the establishment that would qualify as a “sexually oriented use” or which features “nudity” as those terms are defined in MCO § 549.340. This also includes but not limited to nude or semi-nude dancing, sexually suggestive touching, use of stripper/dancing poles or other similar activities.
4. Licensee must maintain monthly receipts showing percentage of food sales, liquor sales and ticket/cover charges for the licensed premise and be available to City staff upon request.
5. Licensee must provide a complete and up to date schedule of events on their public website that details each event or promotion the establishment is offering that also includes their full food menu offerings.
6. Licensee must take all necessary and prudent steps to avoid violent incidents from occurring at their establishment during events by assessing the reasonably foreseeable risks associated with the nature of the event(s), the history of the performer(s), and the anticipated number of attendees.

7. Licensee must provide an updated security plan to Minneapolis Police 3rd Precinct Inspector by August 16, 2019. The security plan must also include: a) a current and up to date detailed diagram of all levels of the establishment; b) a current and up to date detailed diagram of the locations of all security cameras; c) the licensee must describe how they will prevent anyone under 21 years old from being served alcohol or consume alcohol on the licensed premises; d) a detailed security plan must be provided for each event that is considered a “security concern” by Minneapolis Police or Business Licensing. If the security plan is not sufficient the event must be cancelled.
8. Licensee must utilize and maintain a minimum of 28 digital recording security cameras with 45 days retention and must provide digital recordings to the Licenses and Consumer Services or Minneapolis Police, within eight (8) hours of request, to assist in criminal or civil investigation.
9. Licensee must always keep an accurate occupancy count and immediately share such figures upon request to any official of the City of Minneapolis.
10. Licensee must post a sign at all entrances saying that they ban guns and all weapons on premises.
11. Licensee must provide annual alcohol server training to all employees and provide documentation to Licenses & Consumer Services.
12. Licensee must not offer alcohol beverage drinks at special prices that are substantially less than the normal selling prices.
13. Licensee must not include free alcohol beverage drinks with price of admission.
14. The sidewalk I must not be operated past 10:00pm on all days of the week.
15. No minor shall be allowed to enter the premises after 9:00 PM unless accompanied by a parent or guardian or with signed permission from a parent/guardian, and in no case shall a minor be present in violation of applicable curfew laws. Such documentation shall be retained by the establishment and made readily and immediately available to Inspectors or Police upon request.
16. Licensee must utilize and maintain an electronic ID scanner to verify the age of all persons seeking to gain entrance to the establishment after 9:00 PM.
17. Licensee must utilize and maintain a metal detector to wand every person seeking to gain entrance into the establishment after 9:00 PM.
18. To assist in the prevention of reoccurring disturbances by known persons, the licensee must compile, maintain and share with the 3rd Precinct a “Do not admit” list of persons who have been trespassed and/or refused service.
19. Security staff must monitor the activity in the establishment and if any criminal activity is observed, security must escort the customer from the premises and request Minneapolis Police assistance at the exit of the business.

20. Licensee must develop and utilize a promoter contract for all events in which a promoter is used and provide a copy of the contract to the Licenses and Consumer Services upon request. The contract must contain language stating that any promoter will not post any promotional materials in violation of Minneapolis Ordinances.
21. The licensee must immediately cease all operations, except for the first floor of the restaurant, if the parking lot at 2800 E Lake (US Bank) becomes unavailable. The business will not be open on the 2nd or 3rd floor until a similar size lot is obtained or valet service is provided.
22. The licensee must attend monthly LINC meetings for the next 24 months after Council approval of this License Settlement Conference agreement.
23. The licensee must provide liquor, beer and wine receipts and/or invoices when requested by Licenses and Consumer Services.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Bender, Schroeder, Palmisano (10)

Noes: (0)

Absent: Cunningham, Cano, Johnson (3)

Adopted.

COUNCIL ACTION 2019A-0952

The Minneapolis City Council hereby authorizes an increase to contract C-41984 with Hennepin County, in the amount of up to \$90,000, for a new total amount not to exceed \$370,000, and an extension through Dec 31, 2020, for Minnesota Family Investment Program Employment and Training Services.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Bender, Schroeder, Palmisano (10)

Noes: (0)

Absent: Cunningham, Cano, Johnson (3)

Adopted.

The ENTERPRISE Committee submitted the following report:

COUNCIL ACTION 2019A-0953

The Minneapolis City Council hereby authorizes a Non-Disclosure Agreement (NDA) with LexisNexis Risk Holdings, Inc., to exchange information relating to a records search database for criminal investigations.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Bender, Schroeder, Palmisano (10)

Noes: (0)

Absent: Cunningham, Cano, Johnson (3)

Adopted.

The HOUSING POLICY & DEVELOPMENT Committee submitted the following report:

On behalf of the Housing Policy & Development Committee, Gordon offered Resolution 2019R-375 approving the land sale of the property at 914 19th Ave NE (Disposition Parcel No. MH-164), to Greater Metropolitan Housing Corporation for \$1,785, subject to conditions.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2019R-375

By Gordon

Authorizing sale of land Disposition Parcel MH-164, under the Minneapolis Homes Program at 914 19th Ave NE.

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase and develop Disposition Parcel MH-164, in the Logan Park neighborhood, from Greater Metropolitan Housing Corporation, hereinafter known as the Redeveloper, the Parcel MH-164, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

LEGAL DESCRIPTION of MH-164; 914 19th Ave NE: East 35 feet of Lots 13 and 14, Block 33 in Wilson's Re-arrangement of Blocks 2, 3, 6, 7, 9, 10, 11, 14, 15, 19, 20, 21, 24, 26, 29, 31, 33, 35, 37, 39 and 41 of the East Side Addition to Minneapolis; and

Whereas, the Redeveloper has offered to pay the sum of \$1,785 for Parcel MH-164 to the City for the land, and the Redeveloper's proposal is in accordance with the applicable Redevelopment Plan and/or Program; and

Whereas, the Redeveloper has submitted to the City a statement of financial responsibility and qualifications; and

Whereas, the City has had the re-use value reviewed by an appraisal expert, stating that the re-use value opinion is consistent with the accepted methods in aiding the City in determining a re-use value for the Parcel; and

Whereas, pursuant to due notice thereof published in *Finance and Commerce* on November 1, 2019, a public hearing on the proposed sale was duly held on November 13, 2019, at the regularly scheduled Housing Policy and Development Committee meeting of the City Council, at the Minneapolis City Hall, 350 S 5th St, Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the re-use value for uses in accordance with the Redevelopment Plan and/or Program is hereby determined to be the sum of \$1,785 for Parcel MH-164.

Be It Further Resolved that the acceptance of the offer and proposal is hereby determined to be in the best interests of the City and its people and that the transaction furthers the City's general plan of economic development in accordance with the City's approved disposition policy and it is further determined that the Redeveloper possesses the qualifications and financial resources necessary to acquire and develop the parcel in accordance with the Redevelopment Plan and/or Program.

Be It Further Resolved that the proposal be and the same is hereby accepted, subject to the execution of a contract for the sale of land and further subject to the following conditions: 1) land sale closing must occur no later than April 15, 2020; and 2) payment of holding costs of \$300.00 per month if the land sale closing does not occur on or before the closing deadline.

Be It Further Resolved that the sale conditions described above may be waived or amended with the approval of the Department of Community Planning & Economic Development Director.

Be It Further Resolved that upon publication of this Resolution, the Finance Officer or other appropriate official of the City be and the same is hereby authorized to execute and deliver the contract to the Redeveloper; provided, however, that this Resolution does not constitute such a contract and no such contract shall be created until executed by the Finance Officer or other appropriate official of the City.

Be It Further Resolved that the Finance Officer or other appropriate official of the City is hereby authorized to execute and deliver a conveyance of the land to the Redeveloper in accordance with the provisions of the executed contract and upon payment to the City for the purchase price thereof; provided, however, that this Resolution does not constitute such a conveyance and no such conveyance shall be created until executed and delivered by the Finance Officer or other appropriate City official of the City.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Bender, Schroeder, Palmisano (10)

Noes: (0)

Absent: Cunningham, Cano, Johnson (3)

Adopted.

On behalf of the Housing Policy & Development Committee, Gordon offered Resolution 2019R-376 approving the land sale of the property at 4105 12th Ave S (Disposition Parcel No. MH-165), to Greater Metropolitan Housing Corporation for \$125,000, subject to conditions.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2019R-376

By Gordon

Authorizing sale of land Disposition Parcel MH-165, under the Minneapolis Homes Program at 4105 12th Ave S.

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase and develop Disposition Parcel MH-165 in the Bancroft neighborhood, from Greater Metropolitan Housing Corporation, hereinafter known as the Redeveloper, the MH-165, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

LEGAL DESCRIPTION of MH-165; 4105 12th Ave S: Lot 22, Lot 23, Block 2, Girard's Twelfth Avenue Addition to Minneapolis; and

Whereas, the Redeveloper has offered to pay the sum of \$125,000 for Parcel MH-165; the offer includes a development plan and commitment to improve by rehabilitating the existing structure. This offer is in accordance with the Redevelopment Plan and/or Program; and

Whereas, the Redeveloper has submitted to the City a statement of financial responsibility and qualifications; and

Whereas, the City has had the re-use value reviewed by an appraisal expert, stating that the re-use value opinion is consistent with accepted methods of aiding the City in determining a \$175,000 re-use value for the Parcel; and

Whereas, pursuant to due notice thereof published in Finance and Commerce on Friday, November 1, 2019, a public hearing on the proposed sale was duly held on November 13, 2019, at the Minneapolis City Hall, 350 S 5th St, Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the re-use value, for uses in accordance with the Redevelopment Plan and/or Program is hereby determined to be the sum of \$125,000 for Parcel MH-165.

Be It Further Resolved that the acceptance of the offer and proposal is hereby determined to be in the best interests of the City and its people and that the transaction furthers the City's general plan of economic development in accordance with the City's approved disposition policy and it is further determined that the Redeveloper possesses the qualifications and financial resources necessary to acquire and develop the Parcel in accordance with the Redevelopment Plan and/or Program.

Be It Further Resolved that the proposal be and the same is hereby accepted, subject to the execution of a contract for the sale of land and further subject to the following conditions: 1) land sale closing must occur on or before 90 days from the date this Resolution is approved by the City; and 2) payment of holding costs of \$300.00 per month if the land sale closing does not occur on or before the closing deadline.

Be It Further Resolved that the sale conditions described above may be waived or amended with the approval of the Department of Community Planning & Economic Development Director.

Be It Further Resolved that upon publication of this Resolution the Finance Officer or other appropriate official of the City be and the same is hereby authorized to execute and deliver the contract to the Redeveloper; provided, however, that this Resolution does not constitute such a contract and no such contract shall be created until executed by the Finance Officer or other appropriate official of the City.

Be It Further Resolved that the Finance Officer or other appropriate official of the City is hereby authorized to execute and deliver a conveyance of the land to the Redeveloper in accordance with the provisions of the executed contract and upon payment to the City for the purchase price thereof; provided, however, that this Resolution does not constitute such a conveyance and no such conveyance shall be created until executed and delivered by the Finance Officer or other appropriate official of the City.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Bender, Schroeder, Palmisano (10)

Noes: (0)

Absent: Cunningham, Cano, Johnson (3)

Adopted.

COUNCIL ACTION 2019A-0954

The Minneapolis City Council hereby authorizes forgiveness of approximately \$172,000 in accrued interest on two existing City affordable housing loans with Harriet Tubman Center, Inc. to offset moving and organizational costs necessitated by the sale of the Tubman Center West property at 3111 1st Ave S, to Minnesota Teen Challenge.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Bender, Schroeder, Palmisano (10)

Noes: (0)

Absent: Cunningham, Cano, Johnson (3)

Adopted.

Approved by Mayor Jacob Frey 11/25/2019.

(Published 11/27/2019)

COUNCIL ACTION 2019A-0955

The Minneapolis City Council hereby:

1. Authorizes an amendment to Contract No. 43507 with Build Wealth, MN, Inc. , increasing the amount by \$100,000, for a total amount not to exceed \$200,000, to administer the Grow North Down Payment Assistance pilot program on behalf of the City, through Dec 31, 2020.
2. Authorizes an extension of contracts C-44310 with NeighborWorks Home Partners and C-44269 with Build Wealth, MN, Inc. for the administration of the Homeownership Opportunity Minneapolis (HOM) program, for 12 months, through Dec 31, 2020, subject to approved budget.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Bender, Schroeder, Palmisano (10)

Noes: (0)

Absent: Cunningham, Cano, Johnson (3)

Adopted.

COUNCIL ACTION 2019A-0956

The Minneapolis City Council hereby:

1. Approves contract with Build Wealth, MN, Inc. for Culturally-Specific Capacity Building services not-to-exceed \$12,500 for a period of one year through Dec 31, 2020.
2. Approves contract with Black Women's Wealth Alliance, SBA for Culturally-Specific Capacity Building services not-to-exceed \$12,500 for a period of one year through Dec 31, 2020.
3. Approves contract with Hope Community, Inc. for Culturally-Specific Capacity Building services not-to-exceed \$12,500 for a period of one year through Dec 31, 2020.
4. Approves contract with Powderhorn Park Neighborhood Association for Culturally-Specific Capacity Building services not-to-exceed \$12,500 for a period of one year through Dec 31, 2020.
5. Approves contract with Neighborhood Development Alliance, Inc. for Culturally-Specific Capacity Building services not-to-exceed \$10,000 for a period of one year through Dec 31, 2020.

6. Approves contract with Bii Gii Wiin Community Development Loan Fund for Culturally-Specific Capacity Building services not-to-exceed \$10,000 for a period of one year through Dec 31, 2020.
7. Approves contract with CAPI USA for Culturally-Specific Capacity Building services not-to-exceed \$10,000 for a period of one year through Dec 31, 2020.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Bender, Schroeder, Palmisano (10)

Noes: (0)

Absent: Cunningham, Cano, Johnson (3)

Adopted.

COUNCIL ACTION 2019A-0957

The Minneapolis City Council hereby:

1. Approves a total of \$1,322,398 in Year 2020 9% Low Income Housing Tax Credits (HTC) for the following projects: PERIS, 1930 Hennepin Ave S, in the amount of \$1,036,897; Amber Apartments, 4525 Hiawatha Ave, in the amount of \$259,707; and Maya Commons, 937 13th Ave SE, in the amount of \$25,794.
2. Approves the return of \$131,492 in Year 2020 9% HTC to Minnesota Housing.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Bender, Schroeder, Palmisano (10)

Noes: (0)

Absent: Cunningham, Cano, Johnson (3)

Adopted.

Approved by Mayor Jacob Frey 11/25/2019.

(Published 11/27/2019)

COUNCIL ACTION 2019A-0958

The Minneapolis City Council hereby:

1. Approves the reservation of \$1 million in the Affordable Housing Trust Fund (AHTF) budget for the AHTF Contingency Pool.
2. Approves a total of \$18,040,476 from the AHTF, subject to the availability of funding at project closing for the following 12 projects: Snelling Yards Senior Housing, Lydia Apartments, Bimosedaa, Exodus 2, Wadaag Commons, Anishinabe III, 1345 Minneapolis, Bloom Lake Flats, Amber Apartments, Stonehouse Square Apartments, Malcolm Yards, Bryn Mawr Senior Apartments.
3. Approves a total of \$150,000 from the SRO/Shared Housing Pilot Program for the following project: Exodus 2.
4. Authorizes the execution of necessary loan documents for a loan of up to \$2,850,000 from the AHTF for the Snelling Yards Senior Housing project located at 3601 E 44th Street by Lupe Development Partners and Ecumen Services, or an affiliated entity.

5. Authorizes the execution of necessary loan documents for an additional loan of up to \$450,000 from the AHTF for the Lydia Apartments project located at 1920 LaSalle by Beacon Interfaith Housing Collaborative, or an affiliated entity.
6. Authorizes the execution of necessary loan documents for a loan of up to \$1,440,000 from the AHTF for the Bimosedaa project located at 16 4th St N by Beacon Interfaith Housing Collaborative, or an affiliated entity.
7. Authorizes the execution of necessary loan documents for a loan of up to \$3,315,000 from the AHTF and SRO/Shared Housing Pilot Program for the Exodus 2 project by Catholic Charities, or an affiliated entity.
8. Authorizes the execution of necessary loan documents for a loan of up to \$720,000 from the AHTF for the Wadaag Commons project located at 2115 Snelling Ave by Seward Redesign, or an affiliated entity.
9. Authorizes the execution of necessary loan documents for a loan of up to \$1,200,000 from the AHTF for the Anishinabe III project located at 1600 E Franklin Ave by Project for Pride in Living, or an affiliated entity.
10. Authorizes the execution of necessary loan documents for a loan of up to \$860,000 from the AHTF for the 1345 Minneapolis project located at 1345 Central Ave NE by Aeon, or an affiliated entity, conditioned on resolving site design and zoning issues.
11. Authorizes the execution of necessary loan documents for a loan of up to \$1,300,000 from the AHTF for the Bloom Lake Flats project located at 3020 16th Ave S by Project for Pride in Living, or an affiliated entity.
12. Authorizes the execution of necessary loan documents for a loan of up to \$2,235,476 from the AHTF for the Amber Apartments project located at 4525 Hiawatha Ave by RS Eden, or an affiliated entity.
13. Authorizes the execution of necessary loan documents for a loan of up to \$870,000 from the AHTF for the Stonehouse Square Apartments project located at 215 Broadway St NE by CB Stonehouse Square LP, or an affiliated entity.
14. Authorizes the execution of necessary loan documents for a loan of up to \$1,000,000 from the AHTF for the Malcolm Yards project located at 445 Malcolm Ave NE by Lupe Development Partners and Wall Companies, or an affiliated entity.
15. Authorizes the execution of necessary loan documents for a loan of up to \$2,000,000 from the AHTF for the Bryn Mawr Senior Apartments project located at 2800 Wayzata Blvd by Lupe Development Partners, or an affiliated entity.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Bender, Schroeder, Palmisano (10)

Noes: (0)

Absent: Cunningham, Cano, Johnson (3)

Adopted.

COUNCIL ACTION 2019A-0959

The Minneapolis City Council hereby authorizes a Memorandum of Understanding with Hennepin County relating to managing and supporting the Office to End Homelessness for the period Jan 1, 2020 through Dec 31, 2022, subject to annual appropriation of funds.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Bender, Schroeder, Palmisano (10)

Noes: (0)

Absent: Cunningham, Cano, Johnson (3)

Adopted.

The INTERGOVERNMENTAL RELATIONS Committee submitted the following report:

On behalf of the Intergovernmental Relations Committee, Jenkins offered Resolution 2019R-377 affirming Minneapolis' commitment to our asylum-seeking residents and condemning the federal government's administrative decision undermining asylum protection for survivors of domestic violence (Matter of A-B-).

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2019R-377

By Johnson

Affirming Minneapolis' commitment to our asylum-seeking residents and condemning the federal government's administrative decision undermining asylum protection for survivors of domestic violence (Matter of A-B-).

Whereas, the Minneapolis City Council has repeatedly affirmed its commitment to protecting and welcoming our immigrant communities; and

Whereas, the City of Minneapolis has a long history and proud legacy of leading the fight to advance women's rights and combat gender-based violence; and

Whereas, former U.S. Attorney General Jefferson B. Sessions, on June 11, 2018, issued a sweeping decision in the asylum case *Matter of A-B-* (27 I&N Dec. 316 (A.G. 2018)), involving a domestic violence survivor from El Salvador; and

Whereas, that ruling vacated the Board of Immigration Appeals' landmark decision in *Matter of A-R-C-G-* (26 I&N Dec. 388 (BIA 2014)), which had recognized domestic violence as a basis for asylum; and

Whereas, in his decision then-Attorney General Sessions declared that asylum seekers presenting claims based on domestic violence will "generally" no longer qualify for relief; and

Whereas, Sessions' decision included sweeping pronouncements undermining protections for individuals fleeing other forms of persecution perpetrated by nongovernment actors, including gangs and organized crime groups; and

Whereas, in *Grace v. Whitaker* (344 F. Supp. 3d 96 (D.D.C. 2018)), the U.S. District Court for the District of Columbia found the heightened standards articulated by Sessions in *Matter of A-B-* to be inconsistent with existing legal precedents and congressional intent behind the Refugee Act of 1980, holding that there can be no blanket rule barring domestic violence asylum claims; and

Whereas, although the *Grace* decision has halted the implementation of *Matter of A-B-* in initial credible fear proceedings, the Departments of Homeland Security and Justice have instructed adjudicators that *Matter of A-B-* must continue to be used in deciding asylum claims on their merits; and

Whereas, the majority of women and girls seeking asylum at the U.S. southern border hail from the Northern Triangle countries of Central America, El Salvador, Guatemala, and Honduras; and

Whereas, these countries are currently experiencing epidemic levels of violence, including widespread domestic violence and other forms of gender-based violence, which is perpetrated with virtual impunity; and

Whereas, rates of femicide (gender-motivated killings of women) in the Northern Triangle are among the highest in the world; and

Whereas, according to data from the Syracuse University Transactional Records Access Clearinghouse (TRAC), in the 12 months following the issuance of the *Matter of A-B-* decision national asylum grant rates for applicants from El Salvador, Guatemala, and Honduras fell to an average of 15 percent, compared to a 24 percent grant rate in the year prior to the decision; and

Whereas, the *Matter of A-B-* decision has put countless women, children, LGBTQ people, and families at heightened risk of removal to perilous situations where their lives are in danger; and

Whereas, United Nations guidance and international law reflect that domestic violence can form the basis of asylum protection when all other elements of the refugee definition are met; and

Whereas, the United Nations High Commissioner for Refugees (UNHCR) has asserted that the *Matter of A-B-* ruling stands at odds with the United States' international treaty obligations by creating a high barrier to women fleeing domestic violence; and

Whereas, other countries party to the 1951 Refugee Convention and its 1967 Protocol such as Canada, the United Kingdom, Australia, and New Zealand have long recognized that domestic violence may be a basis for asylum; and

Whereas, in 2018, 84 members of Congress cosponsored Congresswoman Jan Schakowsky's (D-III.) resolution (H.Res.987) condemning the former Attorney General's decision in *Matter of A-B-*, including then-Representative Keith Ellison; and

Whereas, 118 members of Congress, including former Representative Keith Ellison, signed a letter sent on September 12, 2018 to then-Attorney General Sessions requesting that he rescind his decision in *Matter of A-B-*; and

Whereas, the *Matter of A-B-* decision does not reflect the values or spirit of Minneapolis or the United States; and

Whereas, the *Matter of A-B-* decision must be reversed at the earliest possible opportunity;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the Minneapolis City Council declares its condemnation of former Attorney General Sessions' decision in *Matter of A-B-* seeking to close the door to women and others seeking asylum on the basis of domestic violence.

Be It Further Resolved that the Minneapolis City Council recognizes the decision as a shameful attempt to eviscerate protections for women, children, LGBTQ people, and families fleeing harrowing violence.

Be It Further Resolved that the Minneapolis City Council calls on the U.S. Department of Justice to rescind the *Matter of A-B-* decision.

Be It Further Resolved that the Minneapolis City Council urges congressional appropriators to instruct the Departments of Justice and Homeland Security that they may not use appropriated funds to implement *Matter of A-B-*.

Be It Further Resolved that the Minneapolis City Council urges our leaders in Congress to enact laws that address the issues created by *Matter of A-B-* and restore justice and fairness to our asylum system.

Be It Further Resolved that the Minneapolis City Council urges the federal courts of appeals to overturn *Matter of A-B-* and affirm that domestic violence may be a basis for asylum.

Be It Further Resolved that the Minneapolis City Council will continue to stand with our asylum-seeking residents and denounce policies that curtail their right to seek refuge in the United States.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Bender, Schroeder, Palmisano (10)

Noes: (0)

Absent: Cunningham, Cano, Johnson (3)

Adopted.

COUNCIL ACTION 2019A-0960

The Minneapolis City Council hereby approves the 2020 Legislative Agenda and Policy Positions, as set forth in Legislative File No. 2019-01134, on file in the Office of the City Clerk.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Bender, Schroeder, Palmisano (10)

Noes: (0)

Absent: Cunningham, Cano, Johnson (3)

Adopted.

The PUBLIC HEALTH, ENVIRONMENT, CIVIL RIGHTS & ENGAGEMENT Committee submitted the following report:

Gordon offered Ordinance 2019-051 amending Title 15 of the Minneapolis Code of Ordinances relating to Offenses—Miscellaneous, adding thereto a new Chapter 402 entitled “Prohibition of Conversion Therapy” to prohibit conversion therapy or reparative therapy.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2019-051
By Cunningham and Jenkins
Intro & 1st Reading: 10/25/2019
Ref to: PECE
2nd Reading: 11/22/2019

Amending Title 15 of the Minneapolis Code of Ordinances relating to Offenses—Miscellaneous.

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That Title 15 of the Minneapolis Code of Ordinances be amended by adding thereto a new Chapter 402, including Sections 402.10 through 402.60, to read as follows:

CHAPTER 402. – PROHIBITION OF CONVERSION THERAPY

402.10. – Findings. Medical, mental health, and child welfare experts have denounced conversion therapy or reparative therapy as ineffective, unreliable, and unsafe for the people, including lesbian, gay, bisexual, transgender, and queer (LGBTQ) minors, who undergo such treatment. Conversion therapies or reparative therapies are based on the discredited premise that being LGBTQ is a mental disorder that can be cured or corrected. LGBTQ people must be free from ineffective and fraudulent conversion treatments that cause harm to mental health and well-being. Based on the foregoing, and due to the serious and dangerous harms caused to minors subjected to conversion therapy or reparative therapy, the city council finds and declares a compelling interest exists in protecting the physical and psychological well-being of minors by protecting them, including LGBTQ minors, from conversion therapy in the city and by limiting the risk of serious harm to LGBTQ minors caused by the exposure to conversion therapy. No other means of protecting minors from the harms associated with conversion therapy would be effective.

402.20. – Purpose. This chapter is an exercise of the police power of the city for the public health, safety, and welfare. Its provisions shall be liberally construed to accomplish that purpose. The purpose of this chapter is to protect the physical and psychological well-being of minors, including LGBTQ minors, from exposure to the serious harms caused by conversion therapy.

402.30. – Definitions. The following words and phrases used in this chapter shall have the meanings set forth below:

Conversion therapy or reparative therapy means any practice or treatment that seeks to change an individual’s sexual orientation or gender identity, including efforts to change behaviors or gender expressions or to eliminate or reduce sexual or romantic attractions or feelings toward individuals of the same gender. Conversion therapy shall not include counseling that provides assistance to an individual undergoing gender transition, or counseling that provides acceptance, support, and understanding of an

individual or facilitates an individual's coping, social support, and identity exploration and development, including sexual orientation-neutral interventions to prevent or address unlawful conduct or unsafe sexual practices, as long as the counseling does not seek to change an individual's sexual orientation or gender identity.

Director means the director of the department of civil rights or their designee.

Gender expression means a person's expression of gender identity through appearance and behavior, including how an individual believes that they are perceived by others.

Gender identity means a person's sense of self as a woman, man, another gender, or genderless. When a person's gender identity or gender expression and sex assigned at birth are not congruent, the individual may identify along the transgender spectrum.

Minor means any person under the age of eighteen (18) years of age.

Provider means an individual who is licensed, certified, or registered under the laws of the State of Minnesota, including mental health practitioners and mental health professionals as defined in Minnesota Statutes, Section 245.462, to provide mental health services. Providers include, but are not limited to, physicians specializing in the practice of psychiatry, psychologists, marriage and family therapists, social workers, clinical counselors, behavioral clinicians or therapists, nurses, or any other persons offering such mental health services. A provider does not include members of the clergy who are acting in their roles as clergy or pastoral counselors and providing religious counseling to congregants.

Sexual orientation means a component of identity that includes a person's sexual and emotional attraction to another person and the behavior and/or social affiliation that may result from this attraction. A person may be attracted to men, women, both, neither, and/or to people who are genderqueer, androgynous, or have other gender identities. Individuals may identify as lesbian, gay, heterosexual, bisexual, queer, pansexual, or asexual, among others.

402.40. – Prohibited practices. It shall be unlawful for any provider to provide conversion therapy or reparative therapy to a minor.

402.50. – Enforcement. Upon receipt of a report of an alleged violation of this chapter, the director may, as the director deems appropriate, issue a warning letter notifying the provider that the provision of conversion therapy or reparative therapy is prohibited and immediate compliance is required. Violations of this chapter shall be enforced exclusively through the administrative enforcement and hearing process contained in Chapter 2 of this Code. Each day of violation constitutes a separate offense. The civil fine for a first violation of this chapter shall be five hundred dollars (\$500.00). The civil fine for second and subsequent violations of this chapter shall be one thousand dollars (\$1,000.00).

402.60. – Severability. If any of the parts or provisions of this chapter or the application thereof to any person or circumstance is held invalid or unconstitutional by a decision of a court of competent jurisdiction, the remainder of this chapter, including the application of such part or provisions to persons or circumstances other than those to which it is held invalid, shall not be affected thereby and shall continue in full force and effect. To this end, the provisions of this chapter are severable.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Bender, Schroeder, Palmisano (10)
Noes: (0)
Absent: Cunningham, Cano, Johnson (3)
Adopted.

Gordon offered Ordinance 2019-052 amending Title 1, Chapter 2 of the Minneapolis Code of Ordinances relating to General Provisions: Administrative Enforcement and Hearing Process, amending provisions related to personnel authorized to issue citations.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2019-052
By Cunningham and Jenkins
Intro & 1st Reading: 10/25/2019
Ref to: PECE
2nd Reading: 11/22/2019

Amending Title 1, Chapter 2 of the Minneapolis Code of Ordinances relating to General Provisions: Administrative Enforcement and Hearing Process.

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That Section 2.20 of the above-entitled ordinance be amended to read as follows:

2.20. – Persons authorized to issue citations.

The following city employees are authorized to issue citations for violations of the Minneapolis Code of Ordinances:

- (1) Police officers.
- (2) Animal control officers.
- (3) License inspectors.
- (4) Fire chief, fire marshal and fire inspectors.
- (5) Building inspectors.
- (6) Manager of environmental health and environmental health inspectors.
- (7) Housing inspectors.
- (8) Zoning inspectors.
- (9) Traffic control unit staff.
- (10) Sidewalk inspectors.

(11) Utility connection inspectors and their supervisor.

(12) Real estate investigators and their supervisor.

(13) Deputy director of environmental management and safety, environmental and code compliance inspectors.

(14) Any designee of the director of the department of regulatory services or any designee of the director of the department of public works for the purposes of enforcement of Title 17, Chapter 464 relating to newsracks.

(15) Any designee of the city engineer for the purposes of enforcement of Title 19, Chapter 511, Sewers and Sewage Disposal.

(16) Any designee of the director of department of civil rights for the purposes of enforcement of Title 15, Chapter 405, Prohibition of Conversion Therapy.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Bender, Schroeder, Palmisano (10)

Noes: (0)

Absent: Cunningham, Cano, Johnson (3)

Adopted.

Gordon offered Ordinance 2019-053 amending Title 7, Chapter 139 of the Minneapolis Code of Ordinances relating to Civil Rights: In General, amending definitions relating to gender identity and sexual orientation to coincide with Chapter 402 prohibiting conversion therapy.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2019-053
By Cunningham and Jenkins
Intro & 1st Reading: 10/25/2019
Ref to: PECE
2nd Reading: 11/22/2019

Amending Title 7, Chapter 139 of the Minneapolis Code of Ordinances relating to Civil Rights: In General.

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That the definitions for “gender identity” and “sexual orientation” contained in Section 139.20 of the above-entitled ordinance be amended to read as follows:

139.20 – Definitions. For the purposes of this title, the following definitions shall apply:

~~Gender identity: A person’s actual or perceived self-image or identity as expressed through dress, appearance, behavior, speech or similar characteristics, whether or not traditionally associated with the person’s physical anatomy, chromosomal sex, or sex assigned at birth. A person’s sense of self as a~~

woman, man, another gender, or genderless. When a person's gender identity or gender expression and sex assigned at birth are not congruent, the individual may identify along the transgender spectrum.

Sexual orientation: Having or being perceived as having an emotional, physical, or sexual attachment to another person without regard to the sex of that person or having or being perceived as having an orientation for such attachment. Sexual orientation does not include a physical or sexual attachment to children by an adult. A component of identity that includes a person's sexual and emotional attraction to another person and the behavior and/or social affiliation that may result from this attraction. A person may be attracted to men, women, both, neither, and/or to people who are genderqueer, androgynous, or have other gender identities. Individuals may identify as lesbian, gay, heterosexual, bisexual, queer, pansexual, or asexual, among others.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Bender, Schroeder, Palmisano (10)

Noes: (0)

Absent: Cunningham, Cano, Johnson (3)

Adopted.

Gordon offered Ordinance 2019-054 amending Title 10, Chapter 204 of the Minneapolis Code of Ordinances relating to Food Code, Environmental Preservation: Environmentally Acceptable Packaging, amending regulations to provide a recycling and/or organics management system at public events and markets, and exempting some food establishments from the requirement to provide front of the house recycling and/or organics collection.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2019-054

By Johnson

Intro & 1st Reading: 10/25/2019

Ref to: PECE

2nd Reading: 11/22/2019

Amending Title 10, Chapter 204 of the Minneapolis Code of Ordinances relating to Food Code: Environmental Preservation: Environmentally Acceptable Packaging.

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That Section 204.30 of the above-entitled ordinance be amended to read as follows:

204.30. – Prohibitions and duties. (a) No person owning, operating or conducting a food establishment or any person or organization providing free food or beverage products within the city of Minneapolis pursuant to a permit or license, or in a manner which would require a permit or license, shall do or allow to be done any of the following within the city: Sell or convey at retail or possess with the intent to sell or convey at retail any food or beverage intended for immediate consumption contained, at any time at or before the time or point of sale, in packaging which is not environmentally acceptable packaging. The presence on the premises of the food establishment of packaging which is not environmentally acceptable packaging shall constitute a rebuttable presumption of intent to sell or convey at retail, or to provide to retail customers packaging which is not environmentally acceptable packaging; provided, however, that

this subparagraph shall not apply to manufacturers, brokers or warehouse operators, who conduct or transact no retail food or beverage business.

(b) Packaging used to contain food or beverages intended for immediate consumption shall be considered environmentally acceptable packaging only when the food establishment provides consumers with an opportunity to recycle and/or appropriately manage compostable plastics and utilizes a qualified recycling and/or organics management system. At public events and markets, such as farmers markets, the event food sponsor or market manager shall be responsible for providing a qualified recycling and/or organics management system for event and market vendors and consumers.

(1) A qualified recycling system shall have the following elements:

- a. A clear and verifiable process for separating recyclable packaging from discarded solid waste; and
- b. Collection and delivery of recyclable packaging to a recycling facility for processing in the same or at least similar manner as recyclable packaging collected in a municipally approved recycling program.

(2) A qualified organics management system shall have the following elements:

- a. A clear and verifiable process for separating organic materials from discarded solid waste; and
- b. Collection and delivery of organic materials to a food to people, food to animals, organics composting or anaerobic digestion facility in the same manner or at least similar manner as organic materials collected in a municipally approved organics management program.

Section 2. That Section 204.70 of the above-entitled ordinance be amended to read as follows:

204.70. – Exemptions. Notwithstanding any other provision to the contrary, this chapter shall not apply to:

(a) Any packaging used at hospitals or nursing homes;

(b) Any packaging which is not environmentally acceptable, but for which there is no commercially available alternative as determined by the environmental health division by rule promulgated pursuant to section 204.50. In determining whether there are commercially available alternatives, the environmental health division shall consider the following:

(1) ~~the~~ The availability of environmentally acceptable packaging for affected products;

(2) ~~the~~ The economic consequences to manufacturers, suppliers, retailers and other vendors of requiring environmentally acceptable packaging when available; and

(3) ~~the~~ The competitive effects on manufacturers, suppliers, retailers and other vendors involved in the sale of product brands or labels available only in packaging that is not environmentally acceptable packaging.

Every rule creating an exemption under this ~~paragraph~~ subsection (b) shall be reviewed annually by the environmental health division to determine whether current conditions continue to warrant the exemption.

(c) *Front of the house exemption.* The following food establishments shall be exempt from providing a qualified recycling and/or organics collection system in the front of house, but shall otherwise remain responsible for providing qualifying environmentally acceptable packaging:

(1) Mobile food vehicle, limited;

(2) Mobile food vehicle, non-profit free food distributor;

(3) Mobile food vehicle;

(4) A food establishment where customer dishes and utensils are removed from the table by restaurant employees only;

(5) Seasonal and short-term food establishments (permitted vendors), and food stands;

(6) Sidewalk cart food vendor; and

(7) Mobile food stores.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Bender, Schroeder, Palmisano (10)

Noes: (0)

Absent: Cunningham, Can, o Johnson (3)

Adopted.

Gordon offered Ordinance 2019-055 amending Title 11, Chapter 255 of the Minneapolis Code of Ordinances relating to Health and Sanitation: Garbage and Refuse, amending regulations for the use of carry out bags in retail establishments to require a fee on single use plastic and paper carry out retail bags.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2019-055
By Gordon
Intro & 1st Reading: 2/9/2018
Ref to: PECE
2nd Reading: 11/22/2019

Amending Title 11, Chapter 225 of the Minneapolis Code of Ordinances relating to Health and Sanitation: Garbage and Refuse.

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That Section 225.910 of the above-entitled ordinance be amended to read as follows:

225.910. Definitions. As used in this article:

Carryout bag means a paper, ~~or plastic, or reusable~~ bag that is provided by a retail establishment at the check stand, cash register, point of sale, or other point of departure to a customer for the purpose of transporting food or merchandise out of the establishment. Carryout bags ~~do not~~ include:

(1) ~~Bags without handles used by customers inside stores to package bulk items such as fruit, vegetables, nuts, grains, candy, greeting cards, or small hardware items, such as nails and bolts, or to contain or wrap frozen foods, meat or fish, whether prepackaged or not, or to contain or wrap flowers or potted plants, or other items where dampness may be a problem, or to contain unwrapped prepared foods or bakery goods, or to contain prescription drugs; or~~ Single-use plastic bags;

(2) ~~Bags used to safeguard public health and safety during the transportation of prepared take-out foods and prepared liquids intended for consumption away from the retail establishment; or~~ BPI certified compostable plastic bags;

(3) ~~Newspaper bags, door hanger bags, laundry dry cleaning bags, bags used to protect fine art paper, or bags sold in packages containing multiple bags intended for use as garbage, pet waste, or yard waste bags.~~ Paper bags; and

(4) Reusable bags.

~~*Compostable carryout bag* means a bag that meets ASTM D6400 standard and is certified for compostability by the Biodegradable Products Institute and displays the BPI logo.~~

~~*Paper carryout bag* means a paper carryout bag that meets the following requirements:~~

(1) ~~Contains a minimum average of forty (40) percent post-consumer recycled materials; and~~

(2) ~~Displays the minimum percent of post-consumer content on the outside of the bag.~~

Pass-through charge means a charge to be collected by retailers from their customers when providing ~~recyclable paper bags or reusable plastic bags~~ carryout bags, and retained by retailers to offset the cost of bags and other costs related to the pass-through charge.

Point-of-sale system means a cash register, credit card machine, or other device that can be programmed or is capable of being used to itemize purchases including a description and/or cost for each item, which can calculate sales tax, add applicable fees, and which is capable of generating sale reports.

Retail establishment means any person, corporation, partnership, business venture, public sports or entertainment facilities, government agency, street vendor or vendor at public events or festivals or organizations that sell or provide merchandise, goods, or materials including, without limitation, clothing, ~~food~~, beverages, household goods, or personal items of any kind directly to a customer. Examples include but are not limited to department stores, clothing stores, jewelry stores, grocery stores, pharmacies, home improvement stores, liquor stores, convenience stores, gas stations, ~~restaurants, food-vending trucks, farmers markets,~~ and temporary vendors of food and merchandise at street fairs and festivals. Food banks and other food assistance programs are not considered to be retail establishments for the purposes of this section.

~~Reusable bag means a bag that is made of cloth, fiber, or other machine washable fabric or durable plastic that can be cleaned and disinfected regularly and meets the following requirements:~~

~~(1) Is at least four (4) mils thick;~~

~~(2) Is specifically designed and manufactured for multiple reuses over a period of time and a minimum lifetime use of seventy five (75) uses; and~~

~~(3) Has the capability of carrying up to eighteen (18) pounds.~~

~~Single-use plastic carryout bag means any carryout bag made from plastic that is neither intended nor suitable for continuous reuse as a carryout bag or that is less than four (4) mils thick.~~

Section 2. That Section 225.920 of the above-entitled ordinance be amended to read as follows:

225.920. Single-use plastic carryout bags prohibited Exemptions. No retail establishment shall provide a single-use plastic carryout bag to any customer. Carryout bags do not include:

(1) Bags without handles used by customers to package bulk items such as fruit, vegetables, nuts, grains, candy, bakery goods, greeting cards, jewelry, or small hardware items, such as nails and bolts, or to contain or wrap flowers or to contain prescription drugs;

(2) Bags used in dine-in or carry-out restaurants, food vending trucks, or temporary event food vendors to safeguard public health and safety during the transportation away from the restaurant;

(3) Bags distributed at retail establishments which do not possess or utilize a point of sale system;

(4) Bags used by organizations which receive them second hand and re-use them for distribution;

(5) Bags sold in packages containing multiple bags intended for use as garbage, pet waste;

(6) Bags distributed at farmers markets;

(7) Laundry dry cleaning bags; or

(8) Bags given where there is no transaction taking place such as:

a. Food banks and other food assistance programs;

b. Personal belonging bags at hospitals, hotels or dental offices;

c. Newspaper bags and door-hanger bags;

d. Bags given at car dealerships or car washes to be intended to collect garbage inside a vehicle; or

e. Litter clean up bags.

Section 3. That Section 225.930 of the above-entitled ordinance be amended to read as follows:

225.930. Carryout bag restrictions and requirements. (a) ~~No retail establishment shall provide a paper carryout bag that is not a recyclable paper bag, and retail~~ Retail establishments shall collect a pass-through charge of not less than five (5) cents for each ~~paper carryout bag, compostable carryout bag or reusable bag~~ provided to customers. It shall be a violation of this section for any retail establishment to pay or otherwise reimburse a customer for any portion of the pass-through charge. All retail establishments shall indicate on the customer transaction receipt the number of ~~paper carryout bags, compostable carryout bags and/or reusable bags~~ provided and the total amount of the pass-through charge.

(b) Retail establishments are not required to collect a pass-through charge from anyone with a voucher or electronic benefits card issued under the Women, Infants and Children (WIC) or Temporary Assistance to Needy Families (TANF) support programs, or the federal Supplemental Nutrition Assistance Program (SNAP, also known as Basic Food), or a recognized Minnesota food assistance program.

(c) ~~In lieu of imposing any pass-through charge, a retail establishment may, at the retail establishment's option, contribute five cents per paper carryout bag, compostable carryout bag or reusable bag provided to customers to any recognized nonprofit organization to fund litter cleanup and waste reduction initiatives, activities and programs of the organization within the City of Minneapolis. The city officials identified in section 225.940 and their authorized representatives may monitor and ensure compliance with the requirements of this subsection through the utilization of reasonable and lawful auditing, reporting and recordkeeping requirements.~~ Retail establishments shall provide, upon the occurrence of the periodic inspection or upon order of any authorized enforcement official, a report identifying the number and value of the carryout bag fees charged to customers. The director of community planning and economic development, the director of public works, the commissioner of health, the director of regulatory services, the licensing official and the authorized representatives of those officials shall be authorized to assist with the enforcement of the provisions of this article.

Section 4. That Section 225.960 of the above-entitled ordinance be and is hereby repealed.

225.960. Effective date. ~~This article shall become effective June 1, 2017.~~

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Bender, Schroeder, Palmisano (10)

Noes: (0)

Absent: Cunningham, Cano, Johnson (3)

Adopted.

COUNCIL ACTION 2019A-0961

The Minneapolis City Council hereby directs Public Works, Regulatory Services, Health Department and Community Planning & Economic Development staff to create an outreach plan to raise awareness and support for residents to bring their own bags when shopping. Staff will report back to council in the first quarter of 2020 on the plan and actions taken to assist residents, especially those low to moderate income residents, in understanding the new rule, and resources to help them more easily bring their own bag.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Bender, Schroeder, Palmisano (10)

Noes: (0)

Absent: Cunningham, Cano, Johnson (3)

Adopted.

COUNCIL ACTION 2019A-0962

The Minneapolis City Council hereby approves the following Council appointments to the Transgender Equity Council to fill unexpired two-year terms, beginning Jan 1, 2019, and ending Dec 31, 2020: Emma Grey, Seat 6, Ward 6; and Alma Miklasevics, Seat 3, Ward 9.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Bender, Schroeder, Palmisano (10)

Noes: (0)

Absent: Cunningham, Cano, Johnson (3)

Adopted.

COUNCIL ACTION 2019A-0963

The Minneapolis City Council hereby:

1. Accepts a grant in the amount of \$13,260 from the Minneapolis Public Housing Authority for an Intern's salary and other expenses to develop a dashboard that will display the health data of highrise residents in Minneapolis.

2. Authorizes an agreement with the Minneapolis Public Housing Authority for the grant.

3. Passage of Resolution 2019R-378 approving appropriation of funds to the Health Department.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Bender, Schroeder, Palmisano (10)

Noes: (0)

Absent: Cunningham, Cano, Johnson (3)

Adopted.

Approved by Mayor Jacob Frey 11/25/2019.

(Published 11/27/2019)

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2019R-378

By Warsame

Amending The 2019 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Health Department (01600-8600121 revenue code 322500) by \$13,260 and increasing the revenue estimate (01600-8600121) by \$13,260.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Bender, Schroeder, Palmisano (10)

Noes: (0)

Absent: Cunningham, Cano, Johnson (3)

Adopted.

Approved by Mayor Jacob Frey 11/25/2019.

(Published 11/27/2019)

COUNCIL ACTION 2019A-0964

The Minneapolis City Council hereby:

1. Accepts a grant from the Minnesota Department of Health, in the amount of \$120,000, to implement culturally-appropriate immunization outreach within the Somali community for a three-year period of Jan 1, 2020 to Dec 31, 2022.
2. Authorizes an agreement with the Minnesota Department of Health for the grant.
3. Passage of Resolution 2019R-379 approving appropriation of funds to the Health Department.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Bender, Schroeder, Palmisano (10)

Noes: (0)

Absent: Cunningham, Cano, Johnson (3)

Adopted.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2019R-379

By Warsame

Amending The 2019 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Health Department (01300-8600151 revenue code 321007) by \$120,000 and increasing the revenue estimate (01300-8600151) by \$120,000.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Bender, Schroeder, Palmisano (10)

Noes: (0)

Absent: Cunningham, Cano, Johnson (3)

Adopted.

COUNCIL ACTION 2019A-0965

The Minneapolis City Council hereby authorizes the Minneapolis City Council, in its capacity as a Community Health Board, to execute a Master Grant contract with the Minnesota Department of Health for health services, for a five-year duration of Jan 1, 2020 through Dec 31, 2024. Individual projects and funding will be issued under the Master Grant Contract through project agreements.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Bender, Schroeder, Palmisano (10)

Noes: (0)

Absent: Cunningham, Cano, Johnson (3)

Adopted.

COUNCIL ACTION 2019A-0966

The Minneapolis City Council hereby:

1. Authorizes a contract with Innovative Power Systems, in an amount up to \$700,000 annually over a 25-year period, for a total 25-year contract value not to exceed \$14.9 million, for 4,920,000 kWh annually in Community Solar Garden subscriptions.
2. Authorizes a contract with US Solar, in an amount up to \$800,000 annually over a 25-year period, for a total 25-year contract value not to exceed \$17.5 million, for 6,260,000 kWh annually in Community Solar Garden subscriptions.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Bender, Schroeder, Palmisano (10)

Noes: (0)

Absent: Cunningham, Cano, Johnson (3)

Adopted.

COUNCIL ACTION 2019A-0967

The Minneapolis City Council hereby authorizes a contract/Practicum experience agreement with Bethel University School of Nursing for their students to receive internship experience through the School Based Clinics Program, with agreements to be automatically renewed annually up to ten (10) years, unless discontinued by either party.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Bender, Schroeder, Palmisano (10)

Noes: (0)

Absent: Cunningham, Cano, Johnson (3)

Adopted.

On behalf of the Public Health, Environment, Civil Rights, and Engagement Committee, Gordon offered Resolution 2019R-380 reaffirming the City's support of the Convention on the Rights of the Child and to pursue this designation through UNICEF USA, and directing staff to implement necessary steps to become one of the first Child Friendly Cities in the US.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2019R-380

By Cunningham

Pursuing a child-friendly city designation in accordance with the five overall goals enshrined in the UN Convention on the Rights of the Child.

Whereas, the Child Friendly Cities Initiative was launched in 1996 to respond to the challenges of realizing the rights of children in an increasingly urbanized and decentralized world; and

Whereas, the Child Friendly Cities Initiative works by bringing together local stakeholders and the United Nations International Children's Emergency Fund (UNICEF) to create, inclusive and child-responsive cities and communities; and

Whereas, the importance of cities in policymaking that directly affects children has increased; and

Whereas, local governments and mayors have a role to play in supporting and advocating for the most vulnerable in their municipalities, including children and young people; and

Whereas, the Child Friendly Cities Initiative has been instrumental in encouraging local governments and other stakeholders to pay greater attention to meeting the rights and needs of their youngest citizens, and ensuring their participation in local decision making; and

Whereas, children have the right to be valued, respected and treated fairly; and

Whereas, children have the right to be heard; and

Whereas, children have the right to social services; and

Whereas, children have the right to be safe; and

Whereas, children have the right to family life, play and leisure; and

Whereas, November 20th marks the 30-year anniversary of the UN Convention on the Rights of the Child;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the Minneapolis City Council reaffirms Mayor Fraser's support of the Convention on the Rights of the Child and pursue a Child Friendly City designation through UNICEF USA.

Be It Further Resolved that The Minneapolis City Council directs staff to implement necessary steps to become one of the first Child Friendly Cities in the US.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Bender, Schroeder, Palmisano (10)

Noes: (0)

Absent: Cunningham, Cano, Johnson (3)

Adopted.

The PUBLIC SAFETY & EMERGENCY MANAGEMENT Committee submitted the following report:

COUNCIL ACTION 2019A-0968

The Minneapolis City Council hereby accepts a grant from the DWI Court – State of Minnesota, Fourth Judicial District Court, in the amount of \$53,900, for a police liaison and DWI defendant monitoring services.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Bender, Schroeder, Palmisano (10)

Noes: (0)

Absent: Cunningham, Cano, Johnson (3)

Adopted.

COUNCIL ACTION 2019A-0969

The Minneapolis City Council hereby authorizes a mutual aid agreement with the Ramsey County Sheriff's Office to enable Minneapolis and its police personnel, equipment, and other available resources to come to the aid of Ramsey County and to enable Ramsey County and its Sheriff's personnel, equipment, and other available resources to come to the aid of Minneapolis.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Bender, Schroeder, Palmisano (10)

Noes: (0)

Absent: Cunningham, Cano, Johnson (3)

Adopted.

COUNCIL ACTION 2019A-0970

The Minneapolis City Council hereby authorizes a mutual aid agreement with the Anoka County Sheriff's Office to enable Minneapolis and its police personnel, equipment, and other available resources to come to the aid of Anoka County and to enable Anoka County and its Sheriff's personnel, equipment, and other available resources to come to the aid of Minneapolis.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Bender, Schroeder, Palmisano (10)

Noes: (0)

Absent: Cunningham, Cano, Johnson (3)

Adopted.

COUNCIL ACTION 2019A-0971

The Minneapolis City Council hereby:

1. Approves the Council appointment of Aaron Hanson to the Police Conduct Review Panel, Seat 3, Ward 1, for a four-year term, beginning Jan 1, 2020, and ending Dec 31, 2023.
2. Confirms the Mayoral appointment of Laura Westphal to the Police Conduct Review Panel, Seat 7, Ward 13, for a four-year term, beginning Jan 1, 2020, and ending Dec 31, 2023.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Bender, Schroeder, Palmisano (10)

Noes: (0)

Absent: Cunningham, Cano, Johnson (3)

Adopted.

COUNCIL ACTION 2019A-0972

The Minneapolis City Council hereby:

1. Approves the Council appointment of Abigail Cerra to the Police Conduct Oversight Commission, Seat 3, Ward 12, for a two-year term, beginning Jan 1, 2020, and ending Dec 31, 2021.
2. Confirms the Mayoral appointment of Robert Jackson Pineau to the Police Conduct Oversight Commission, Seat 6, Ward 6, for a two-year term, beginning Jan 1, 2020, and ending Dec 31, 2021.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Bender, Schroeder, Palmisano (10)

Noes: (0)

Absent: Cunningham, Cano, Johnson (3)

Adopted.

The TRANSPORTATION & PUBLIC WORKS Committee submitted the following report:

On behalf of the Transportation & Public Works Committee, Reich offered Resolution 2019R-381 ordering the work to proceed and adopting the special assessments for the Hoyer Heights Residential Street Reconstruction Project No. 2317 (PV131).

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2019R-381

By Reich

Ordering the work to proceed and adopting the special assessments for the Hoyer Heights Residential Street Reconstruction Project No. 2317 (PV131).

Whereas, a public hearing was held on November 12, 2019, in accordance with Minneapolis City Charter, Article IX, Section 9.6I, and Minneapolis Code of Ordinances, Section 24.110, to consider the proposed improvements as designated in Resolution 2019R-289 passed September 27, 2019, to consider the proposed special assessments as on file in the Minneapolis Public Works Special Assessment Office, and to consider all written and oral objections and statements regarding the proposed improvements and the proposed special assessments;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City Engineer is hereby ordered to proceed and do the work as designated in said Resolution 2019R-289, passed September 27, 2019.

Be It Further Resolved that the proposed special assessments in the total amount of \$351,091 for the Hoyer Heights Residential Street Reconstruction Project (Project 2317, PV131), as on file in the City Engineer's Special Assessment Office, be and hereby are adopted and assessed against the benefited properties.

Be It Further Resolved that the number of successive equal annual principal installments by which the special assessments of more than \$150 may be paid shall be fixed at twenty (20) with the interest rate to be determined by the Finance Department, with collection of the special assessments to begin on the 2021 real estate tax statements.

Be It Further Resolved that the number of installments by which the special assessments of \$150 or less may be paid shall be fixed at one (1) with the interest rate to be determined by the Finance Department, with collection of the special assessments to begin on the 2021 real estate tax statements.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Bender, Schroeder, Palmisano (10)

Noes: (0)

Absent: Cunningham, Cano, Johnson (3)

Adopted.

On behalf of the Transportation & Public Works Committee, Reich offered Resolution 2019R-382 requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount

of \$351,095 for the purpose of paying the assessed cost of street improvements in the Hoyer Heights Residential Street Reconstruction Project No. 2317.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2019R-382

By Reich

Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of \$351,095 for certain purposes other than the purchase of public utilities.

Resolved by The City Council of The City of Minneapolis:

That the Board of Estimate and Taxation be requested to authorize the City to incur indebtedness and issue and sell City of Minneapolis bonds for the purpose of paying the assessed cost of street improvements in the Hoyer Heights Residential Street Reconstruction Project No. 2317, to be assessed against benefited properties as estimated by the City Council, which assessments shall be collectible in twenty (20) successive annual installments, payable in the same manner as real estate taxes.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Bender, Schroeder, Palmisano (10)

Noes: (0)

Absent: Cunningham, Cano, Johnson (3)

Adopted.

On behalf of the Transportation & Public Works Committee, Reich offered Resolution 2019R-383 ordering the City Engineer to abandon and remove the areaways located in the public street right-of-way that are in conflict with the street reconstruction project in the Hoyer Heights project area.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2019R-383

By Reich

Ordering the City Engineer to abandon and remove the areaways located in the public street right-of-way that are in conflict with the street reconstruction project in the Hoyer Heights project area.

Whereas, the City of Minneapolis has scheduled the reconstruction starting in 2020 in the Hoyer Heights project area of Minneapolis; and

Whereas, there are areaways located in the public street right-of-way that are in conflict with said reconstruction; and

Whereas, a public hearing was held on November 12, 2019, in accordance with Minneapolis City Charter, Article IX, Section 9.6I, and Minneapolis Code of Ordinances, Sections 24.220 and 95.90, to consider the proposed abandonment and removal of the above-mentioned areaways and to consider all written and oral objections and statements regarding the proposed areaway abandonment and removal;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City Engineer is hereby ordered and directed to abandon and remove the conflicting areaways located in the public street right-of-way adjoining the properties along both sides of the following streets:

36 1/2 Ave NE, from 37th Ave NE to Buchanan St NE,
Taylor St NE, from 37th Ave NE to 36th 1/2 Ave NE,
Fillmore St NE, from 37th Ave NE to 36th 1/2 Ave NE,
Pierce St NE, from 37th Ave NE to 36th 1/2 Ave NE,
Pierce Place NE, from 37th Ave NE to 36th 1/2 Ave NE,
Buchanan St NE, from 37th Ave NE to dead-end south of 37th Ave NE, and
Lincoln St NE, from 37th Ave NE to dead-end south of 37th Ave NE.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Bender, Schroeder, Palmisano (10)

Noes: (0)

Absent: Cunningham, Cano, Johnson (3)

Adopted.

On behalf of the Transportation & Public Works Committee, Reich offered Resolution 2019R-384 amending the 2019 Capital Improvement Appropriation Resolution authorizing closure and appropriation adjustments for capital projects and programs, as indicated on Schedules A – D, and reallocations and redistributions of excess revenues and bond proceeds to projects requiring additional funding.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2019R-384

By Warsame

Amending The 2019 Capital Improvement Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above entitled resolution, as amended, be further amended by increasing or decreasing project appropriations, as indicated on Schedules A – D as set forth in Legislative File No. 2019-01276 on file in the Office of the City Clerk, and that all revenue adjustments, bond reallocations, and other actions indicated on Schedules A – D are hereby incorporated in this resolution.

Be It Further Resolved that the Board of Estimate and Taxation is hereby requested to concur with these actions.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Bender, Schroeder, Palmisano (10)

Noes: (0)

Absent: Cunningham, Cano, Johnson (3)

Adopted.

COUNCIL ACTION 2019A-0973

The Minneapolis City Council hereby authorizes issuance of a Request for Proposals (RFP) for parking meter equipment and a management system to support the equipment for the City of Minneapolis on-street parking system.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Bender, Schroeder, Palmisano (10)

Noes: (0)

Absent: Cunningham, Cano, Johnson (3)

Adopted.

Approved by Mayor Jacob Frey 11/25/2019.

(Published 11/27/2019)

COUNCIL ACTION 2019A-0974

The Minneapolis City Council hereby authorizes issuance of a Request for Proposals (RFP) for planning and engineering services for the Hennepin Ave (Lake St W to Douglas Ave) Street Reconstruction Project (PV158).

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Bender, Schroeder, Palmisano (10)

Noes: (0)

Absent: Cunningham, Cano, Johnson (3)

Adopted.

COUNCIL ACTION 2019A-0975

The Minneapolis City Council hereby authorizes a mutual aid agreement with other metro-area public works agencies for training, preparation, and response to assist one another in the event of natural and man-made disasters, for a five-year period beginning January 1, 2020, and ending December 31, 2024.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Bender, Schroeder, Palmisano (10)

Noes: (0)

Absent: Cunningham, Cano, Johnson (3)

Adopted.

COUNCIL ACTION 2019A-0976

The Minneapolis City Council hereby:

1. Authorizes a cost participation cooperative agreement with Hennepin County, whereby the City will receive an amount not to exceed \$125,000 for work completed as part of the North Loop Reconstruction Project No. 6766 (CPV135) along Washington Ave (County State Aid Highway 152) at the intersections of 7th, 8th, and 9th Aves N.
2. Passage of Resolution 2019R-385 increasing the appropriation for the Public Works Department by \$125,000.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Bender, Schroeder, Palmisano (10)

Noes: (0)

Absent: Cunningham, Cano, Johnson (3)

Adopted.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2019R-385
By Warsame

Amending the 2019 Capital Improvement Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Public Works Capital Fund (04100-9010937-CPV135PV) by \$125,000, and increasing the revenue estimate from Local Payment Account 322502 to (04100-9010937-CPV135PV) by \$125,000.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Bender, Schroeder, Palmisano (10)

Noes: (0)

Absent: Cunningham, Cano, Johnson (3)

Adopted.

On behalf of the Transportation & Public Works Committee, Reich offered Resolution 2019R-386 designating the location and improvements of certain existing streets in Southwest Windom Residential Street Reconstruction Project No. 2307 (PV131).

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2019R-386
By Reich

Designating the location and improvements of certain existing streets in Southwest Windom Residential Street Reconstruction Project No. 2307 (PV131).

Resolved by The City Council of The City of Minneapolis:

That the following existing streets within the City of Minneapolis are hereby designated to be improved, pursuant to the provisions of Minneapolis City Charter, Article IX, Section 9.6I, by full removal of the existing road, new pavement, new curb and gutter, sidewalk, utility improvements, trees, new signage, and new pavement markings:

W 61st St, east to Lyndale Ave S,
W 62nd St, east to Aldrich Ave S,
Dupont Ave S, between W 61st St and W 62nd St,
Colfax Lane S, between W 61st St and Aldrich Ave S, and
Aldrich Ave S, between Colfax Lane S and W 62nd St.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Bender, Schroeder, Palmisano (10)

Noes: (0)

Absent: Cunningham, Cano, Johnson (3)

Adopted.

COUNCIL ACTION 2019A-0977

The Minneapolis City Council hereby adopts a report receiving a cost estimate of \$2,800,100 for street reconstruction improvements and a list of benefited properties for the Southwest Windom Residential Street Reconstruction Project No. 2307 (PV131), as designated by Resolution 2019R-386, passed November 22, 2019, and directs that the City Engineer prepare a proposed Street Reconstruction Special Improvement Assessment against the list of benefited properties by applying the 2020 Uniform Assessment Rates.

Further, a public hearing is scheduled for January 21, 2020, in accordance with Minneapolis City Charter, Article IX, Section 9.6I, and Minneapolis Code of Ordinances, Section 24.110, to consider approving the reconstruction of the above-designated street location, the abandonment and removal of areaways in conflict with the project, and to consider the amount proposed to be assessed to each benefited property and the amount to be funded by the City.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Bender, Schroeder, Palmisano (10)

Noes: (0)

Absent: Cunningham, Cano, Johnson (3)

Adopted.

COUNCIL ACTION 2019A-0978

The Minneapolis City Council hereby:

1. Authorizes an increase to Contract No. C-44482 with Custom Products and Services, in the amount of \$540,720 for a total amount not to exceed \$1,081,440, for sidewalk and parking lot snow clearing, removal, and ice control services for Special Service Districts for the 2019-2020 season.
2. Authorizes an increase to Contract No. COM0000009 with Stonepros LLC, dba Snowpros, in the amount of \$620,400 for a total amount not to exceed \$1,240,800, for sidewalk and parking lot snow clearing, removal, and ice control services for Special Service Districts for the 2019-2020 season.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Bender, Schroeder, Palmisano (10)

Noes: (0)

Absent: Cunningham, Cano, Johnson (3)

Adopted.

Approved by Mayor Jacob Frey 11/25/2019.

(Published 11/27/2019)

COUNCIL ACTION 2019A-0979

The Minneapolis City Council hereby authorizes an increase to Contract No. COM0000847 with Meyer Contracting, Inc., in the amount of \$26,477.08 for a total amount not to exceed \$588,383.13, for additional work for the Hennepin Ave Water Main Replacement Project due to unforeseen conditions and the redesign of a hydrant location.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Bender, Schroeder, Palmisano (10)

Noes: (0)

Absent: Cunningham, Cano, Johnson (3)

Adopted.

The WAYS & MEANS Committee submitted the following report:

On behalf of the Ways & Means Committee, Warsame offered Resolution 2019R-387 accepting donation from Independent Sector for travel and lodging expenses for Joy Marsh Stephens, Director, Division of Race and Equity, to participate in the Chief Equity Officers Roundtable at Upswell Chicago in Chicago, Illinois, from November 14-15, 2019.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2019R-387

By Warsame

Accepting donation from Independent Sector for travel and lodging expenses for Joy Marsh Stephens, Director, Division of Race and Equity, to participate in the Chief Equity Officers Roundtable at Upswell Chicago in Chicago, Illinois, from November 14-15, 2019.

Whereas, the City of Minneapolis is generally authorized to accept donations of real and personal property pursuant to Minnesota Statutes, Section 465.03, for the benefit of its citizens, and is specifically authorized to accept gifts and bequests for the benefit of recreational services pursuant to Minnesota Statutes, Section 471.17; and

Whereas, the following persons and entities have offered to contribute the gifts set forth below to the city:

Name of Donor – Independent Sector.

Gift – Travel and lodging expenses for Director, Division of Race and Equity, to travel to Chief Equity Officers Roundtable at Upswell Chicago in Chicago, Illinois.

Whereas, no goods or services were provided in exchange for said donation; and

Whereas, all such donations have been contributed to assist the city in contributing to a national community of practice on what it takes to apply an equity lens across an entire organization, building and sustaining an equity agenda, and the role of philanthropy and the private sector as partners in supporting a citywide equity agenda; and

Whereas, the City Council finds that it is appropriate to accept the donation offered;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the donations described above are hereby accepted and shall be used to assist the city in contributing to a national community of practice on what it takes to apply an equity lens across an entire organization, building and sustaining an equity agenda, and the role of philanthropy and the private sector as partners in supporting a citywide equity agenda as it relates to Minneapolis communities.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Bender, Schroeder, Palmisano (10)

Noes: (0)

Absent: Cunningham, Cano, Johnson (3)

Adopted.

On behalf of the Ways & Means Committee, Warsame offered Resolution 2019R-388 accepting donation from OutFront Minnesota for event tickets for Track Trachtenberg, Transgender Equity Project Coordinator; Mariah Cannon, Student Intern; Charlie Ito, member of the Transgender Equity Council; and shor salkas, Co-Chair of the Transgender Equity Council, to attend the OutFront Gala on November 23, 2019.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2019R-388

By Warsame

Accepting donation from OutFront Minnesota for event tickets for Track Trachtenberg, Transgender Equity Project Coordinator; Mariah Cannon, Student Intern; Charlie Ito, member of the Transgender Equity Council; and shor salkas, Co-Chair of the Transgender Equity Council; to attend the OutFront Gala on November 23, 2019.

Whereas, the City of Minneapolis is generally authorized to accept donations of real and personal property pursuant to Minnesota Statutes, Section 465.03, for the benefit of its citizens, and is specifically authorized to accept gifts and bequests for the benefit of recreational services pursuant to Minnesota Statutes, Section 471.17; and

Whereas, the following persons and entities have offered to contribute the gifts set forth below to the city:

Name of Donor – OutFront Minnesota.

Gift – Event tickets to the OutFront Gala for Track Trachtenberg, Transgender Equity Project Coordinator; Mariah Cannon, Student Intern; Charlie Ito, member of the Transgender Equity Council; and shor salkas, Co-Chair of the Transgender Equity Council; to attend the OutFront Gala on November 23, 2019.

Whereas, no goods or services were provided in exchange for said donation; and

Whereas, all such donations have been contributed to assist the city in relationship-building to further the City's policy-based work with Lesbian, Gay, Bisexual, Transgender, Queer (LGBTQ) communities; and

Whereas, the City Council finds that it is appropriate to accept the donation offered;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the donations described above are hereby accepted and shall be used for relationship-building to further the City's policy-based work with LGBTQ communities as it relates to Minneapolis communities.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Bender, Schroeder, Palmisano (10)

Noes: (0)

Absent: Cunningham, Cano, Johnson (3)

Adopted.

COUNCIL ACTION 2019A-0980

The Minneapolis City Council hereby authorizes the acceptance of the low bid of KONE, Inc., submitted on Event No. 589, in the amount of \$446,406.36, for an initial two-year contract period with the option to renew for three additional one-year periods, to provide all materials, labor, equipment, and incidentals necessary for the Elevator and Escalator Maintenance Service Project at the Minneapolis Convention Center, all in accordance with City specifications.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Bender, Schroeder, Palmisano (10)

Noes: (0)

Absent: Cunningham, Cano, Johnson (3)

Adopted.

COUNCIL ACTION 2019A-0981

The Minneapolis City Council hereby authorizes an increase to Contract No. COM0001122 with B&D Associates LLC, in the amount of \$7,754 for a total amount not to exceed \$2,689,044, for changes to the masonry scope of work for the Public Service Building Project.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Bender, Schroeder, Palmisano (10)

Noes: (0)

Absent: Cunningham, Cano, Johnson (3)

Adopted.

COUNCIL ACTION 2019A-0982

The Minneapolis City Council hereby authorizes an increase to Contract No. COM00000793 with Grazzini Brothers and Company, in the amount of \$20,388 for a total amount not to exceed \$2,066,863, for increased tile and stonework for the Public Service Building Project.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Bender, Schroeder, Palmisano (10)

Noes: (0)

Absent: Cunningham, Cano, Johnson (3)

Adopted.

COUNCIL ACTION 2019A-0983

The Minneapolis City Council hereby authorizes an increase to Contract No. COM00000565 with Schindler Elevator Corporation, in the amount of \$13,053 for a total amount not to exceed \$3,098,314, for additional elevator manufacturing and installation work for the Public Service Building Project.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Bender, Schroeder, Palmisano (10)

Noes: (0)

Absent: Cunningham, Cano, Johnson (3)

Adopted.

COUNCIL ACTION 2019A-0984

The Minneapolis City Council hereby authorizes an increase to Contract No. COM0000147 with LeJeune Steel Company LLC, in the amount of \$28,050 for a total amount not to exceed \$7,947,170, for increases in structural steel supply for the Public Service Building Project.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Bender, Schroeder, Palmisano (10)

Noes: (0)

Absent: Cunningham, Cano, Johnson (3)

Adopted.

COUNCIL ACTION 2019A-0985

The Minneapolis City Council hereby authorizes an increase to Contract No. C-44286 with Kevitt Companies, in the amount of \$15,779 for a total amount not to exceed \$3,864,847, for increased costs associated with the storm water connection in the right-of-way for the Public Service Building Project.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Bender, Schroeder, Palmisano (10)

Noes: (0)

Absent: Cunningham, Cano, Johnson (3)

Adopted.

COUNCIL ACTION 2019A-0986

The Minneapolis City Council hereby authorizes an increase to Contract No. COM0000189 with Premier Electrical Corporation, in the amount of \$53,252 for a total amount not to exceed \$14,379,359, for additional costs associated with the electrical work for the Public Service Building Project.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Bender, Schroeder, Palmisano (10)

Noes: (0)

Absent: Cunningham, Cano, Johnson (3)

Adopted.

COUNCIL ACTION 2019A-0987

The Minneapolis City Council hereby authorizes an increase to Contract No. C-44518 with Danny's Construction Company LLC, in the amount of \$7,472 for a total amount not to exceed \$3,508,775, for increased structural steel work for the Public Service Building Project.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Bender, Schroeder, Palmisano (10)

Noes: (0)

Absent: Cunningham, Cano, Johnson (3)

Adopted.

COUNCIL ACTION 2019A-0988

The Minneapolis City Council hereby authorizes an increase to Contract No. COM0000416 with Modern Piping, Inc., in the amount of \$24,325 for a total amount not to exceed \$27,229,024, for additional costs associated with the mechanical work for the Public Service Building Project.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Bender, Schroeder, Palmisano (10)

Noes: (0)

Absent: Cunningham, Cano, Johnson (3)

Adopted.

COUNCIL ACTION 2019A-0989

The Minneapolis City Council hereby authorizes a contract with Prevolv, Inc., in an amount not-to-exceed \$3,287,666, for workplace systems furniture for the Public Service Building for an initial two-year contract with the option to extend the contract for three additional years.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Bender, Schroeder, Palmisano (10)

Noes: (0)

Absent: Cunningham, Cano, Johnson (3)

Adopted.

The ZONING & PLANNING Committee submitted the following report:

COUNCIL ACTION 2019A-0990

The Minneapolis City Council hereby:

1. Approves an application submitted by Metropolitan Council to vacate (Vac-1672) portions of the public alley in Registered Land Survey Number 1313 and Registered Land Survey Number 1521, bounded by E Lyndale Ave N; 8th, 10th, and 11th Aves N; and 5th St N, subject to the retention of easement rights by CenturyLink.
2. Approves an application submitted by Metropolitan Council to vacate (Vac-1723) portions of the storm and sanitary sewer and storm drainage easements in a public alley, and within the previously vacated 10 1/2 Ave N, in Registered Land Survey Number 1313 and Registered Land Survey Number 1521, bounded by E Lyndale Ave N; 8th, 10th, and 11th Aves N; and 5th St N.
3. Passage of Resolution 2019R-389 vacating portions of the public alley in Registered Land Survey Number 1313 and Registered Land Survey Number 1521, bounded by E Lyndale Ave N; 8th, 10th, and 11th Aves N; and 5th St N (Vac-1672).
4. Passage of Resolution 2019R-390 vacating portions of the storm and sanitary sewer and storm drainage easements in a public alley, and within the previously vacated 10th 1/2 Ave N, in Registered Land Survey Number 1313 and Registered Land Survey Number 1521, bounded by E Lyndale Ave N; 8th, 10th, and 11th Aves N; and 5th St N (Vac-1723).

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Bender, Schroeder, Palmisano (10)

Noes: (0)

Absent: Cunningham, Cano, Johnson (3)

Adopted.

The following is the complete text of the unpublished summarized resolutions.

RESOLUTION 2019R-389

By Schroeder

Vacating portions of the public alley in Registered Land Survey Number 1313 and Registered Land Survey Number 1521, bounded by East Lyndale North, 8th, 10th and 11th Avenues North and 5th Street North (Vac1672).

Resolved by The City Council of The City of Minneapolis:

THAT ALL THAT PART OF A 20 FOOT WIDE ALLEY AND 20 FOOT WIDE ALLEY EXTENDED NORTHEASTERLY BETWEEN TRACT B, REGISTERED LAND SURVEY NO. 1521 AND TRACT H, REGISTERED LAND SURVEY NO. 1313; ALL IN HENNEPIN COUNTY, MINNESOTA. SAID ALLEY AND 20 FOOT EXTENSION OF SAID ALLEY EXTENDING NORTHEASTERLY TO THE NORTHWESTERLY EXTENSION OF THE SOUTHWESTERLY LINE OF A 16 FOOT WIDE ALLEY BETWEEN TRACT A, REGISTERED LAND SURVEY NO. 1521 AND SAID TRACT H, REGISTERED LAND SURVEY NO. 1313

A 16 FOOT WIDE ALLEY ADJACENT TO TRACT H, REGISTERED LAND SURVEY NO. 1313 AND LOTS 7 AND 8, HAYMARKET 2ND ADDITION; ALL IN HENNEPIN COUNTY, MINNESOTA.

AND

A 20 FOOT WIDE ALLEY BETWEEN LOT 7, HAYMARKET 2ND ADDITION AND TRACT B, REGISTERED LAND SURVEY NO. 1521; ALL IN HENNEPIN COUNTY, MINNESOTA, is hereby vacated except that such vacation shall not affect the existing authority CenturyLink their successors and assigns, to enter upon that portion of the aforescribed area which is described in regard to each of said corporation as follows, to wit:

CenturyLink: subject to the retention of an easement over the entire area to be vacated.

To operate, maintain, repair, alter, inspect or remove its above-described utility facilities and said easement right and authority is hereby expressly reserved to each of the above-named corporations, and no other person or corporation shall have the right to fill, excavate, erect buildings or other structures, plant trees or perform any act which would interfere with or obstruct access to said easement upon or within the above-described areas without first obtaining the written approval of the corporation(s) having utility facilities located within the area involved authorizing them to do so.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Bender, Schroeder, Palmisano (10)

Noes: (0)

Absent: Cunningham, Cano, Johnson (3)

Adopted.

RESOLUTION 2019R-390

By Schroeder

Vacating portions of the storm and sanitary sewer and storm drainage easements in a public alley, and within the previously vacated 10 1/2 Avenue North, in Registered Land Survey Number 1313 and Registered Land Survey Number 1521, bounded by East Lyndale North, 8th, 10th and 11th Avenues North and 5th Street North (Vac1723).

Resolved by The City Council of The City of Minneapolis:

SEWER

That all that part of the Sixteen Foot (16') public alley as laid out and dedicated in the plat of HAYMARKET 2ND ADDITION which lies between the extension southwesterly of the northwesterly line of Lot Twenty-two (22), said HAYMARKET 2ND ADDITION, and the northwesterly line of Bassett's Creek described in resolutions of the City Council of the City of Minneapolis recorded in Book 70, Hennepin County Records, Pages 3857556 and 3857557 in the office of the Register of Deeds; all in Hennepin County, Minnesota, is hereby vacated.

AND

SANITARY AND STORM DRAIN

That all that part of the vacated alley lying at the rear of Lot 14, HAYMARKET 2ND ADDITION from the Southeasterly line extended to the Northwesterly line extended of said Lot 14 and all that part of vacated Napco Avenue (formerly 10 1/2 Avenue North) from the Northeasterly line extended of Lot 14 to the Southwesterly line extended of Lot 37 of said addition, and the Southeasterly 50 feet of vacated Napco Avenue from the Southwesterly line extended of Lot 37 to the Northeasterly line extended of Lot 30 all in HAYMARKET 2ND ADDITION. Said street and alley are those vacated by resolution adopted July 29, 1955, is hereby vacated.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Bender, Schroeder, Palmisano (10)

Noes: (0)

Absent: Cunningham, Cano, Johnson (3)

Adopted.

COUNCIL ACTION 2019A-0991

The Minneapolis City Council hereby:

1. Approves an application submitted by Timothy Baylor with Pinnacle Management LLC to rezone (PLAN9426) the properties located at 1828 and 1830 Bryant Ave N from the R4 Multiple-family District to the C1 Neighborhood Commercial District to construct a new mixed-use building with 112 dwelling units and approximately 3,100 square feet of ground floor commercial space.
2. Approves an application submitted by Timothy Baylor with Pinnacle Management LLC to rezone (PLAN9426) the properties located at 1832, 1836, and 1838 Bryant Ave N from the R5 Multiple-family District to the C1 Neighborhood Commercial District to construct a new mixed-use building with 112 dwelling units and approximately 3,100 square feet of ground floor commercial space.
3. Approves an application submitted by Timothy Baylor with Pinnacle Management LLC to rezone (PLAN9426) the properties located at 1828, 1830, 1832, 1836, and 1838 Bryant Ave N to add the WB West Broadway Overlay District to construct a new mixed-use building with 112 dwelling units and approximately 3,100 square feet of ground floor commercial space.
4. Passage of Ordinance 2019-056 amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to Zoning Code: Zoning Districts and Maps Generally.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Bender, Schroeder, Palmisano (10)

Noes: (0)

Absent: Cunningham, Cano, Johnson (3)

Adopted.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2019-056
By Schroeder
Intro & 1st Reading: 1/8/2018
Ref to: ZP
2nd Reading: 11/22/2019

Amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to Zoning Code: Zoning Districts and Maps Generally.

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That Section 521.30 of the above-entitled ordinance be amended by changing the zoning district for the following parcels of land, pursuant to MS 462.357:

Lot 2, Bock 42, SHERBURNE AND BEEBE'S ADDTION TO MINNEAPOLIS, Hennepin County.

And

The South 29 feet of Lot 1, Bock 42, SHERBURNE AND BEEBE'S ADDTION TO MINNEAPOLIS, Hennepin County. (1828 and 1830 Bryant Avenue North = Plate 8) to the C1 Neighborhood Commercial District.

The North 29 feet of that part of Lot 1, Block 42, SHERBURNE AND BEEBE'S ADDTION TO MINNEAPOLIS M.T. lying South of the North 53 of said lot.

And

That part of the North 53.00 feet of Lot 1, Block 42, SHERBURNE AND BEEBE'S ADDTION TO MINNEAPOLIS M.T. lying South of a line drawn from a point on the West line of said Lot 1 distant 26.49 feet South from the Northwest corner of said Lot 1 to a point on the East line of said Lot 1 distant 25.27 feet South from the Northeast corner of said Lot 1, according to the recorded plat thereof.

And

That part of the North 53.00 feet of Lot 1, Block 42, SHERBURNE AND BEEBE'S ADDTION TO MINNEAPOLIS M.T. lying North of a line drawn from a point on the West line of said Lot 1 distant 26.49 feet South from the Northwest corner of said Lot 1 to a point on the East line of said Lot 1 distant 25.27 feet South from the Northwest corner of said Lot 1, according to the recorded plat thereof. (1832, 1836 and 1838 Bryant Avenue North – Plate 8) to the C1 Neighborhood Commercial District.

Lot 2, Bock 42, SHERBURNE AND BEEBE'S ADDTION TO MINNEAPOLIS, Hennepin County.

And

The South 29 feet of Lot 1, Bock 42, SHERBURNE AND BEEBE'S ADDTION TO MINNEAPOLIS, Hennepin County.

And

The North 29 feet of that part of Lot 1, Block 42, SHERBURNE AND BEEBE'S ADDITION TO MINNEAPOLIS M.T. lying South of the North 53 of said lot.

And

That part of the North 53.00 feet of Lot 1, Block 42, SHERBURNE AND BEEBE'S ADDITION TO MINNEAPOLIS M.T. lying South of a line drawn from a point on the West line of said Lot 1 distant 26.49 feet South from the Northwest corner of said Lot 1 to a point on the East line of said Lot 1 distant 25.27 feet South from the Northeast corner of said Lot 1, according to the recorded plat thereof.

And

That part of the North 53.00 feet of Lot 1, Block 42, SHERBURNE AND BEEBE'S ADDITION TO MINNEAPOLIS M.T. lying North of a line drawn from a point on the West line of said Lot 1 distant 26.49 feet South from the Northwest corner of said Lot 1 to a point on the East line of said Lot 1 distant 25.27 feet South from the Northwest corner of said Lot 1, according to the recorded plat thereof. (1828, 1830, 1832, 1836 and 1838 Bryant Avenue North -Plate 8) add the WB West Broadway Overlay District.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Bender, Schroeder, Palmisano (10)

Noes: (0)

Absent: Cunningham, Cano, Johnson (3)

Adopted.

Schroeder offered Ordinance 2019-057 amending Title 20, Chapters 520 and 536 of the Minneapolis Code of Ordinances relating to Zoning Code: Introductory Provisions and Specific Development Standards, amending regulations related to intentional communities and cluster developments.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2019-057
By Gordon, Ellison, and Schroeder
Intro & 1st Reading: 12/7/2018
Ref to: ZP
2nd Reading: 11/22/2019

Amending Title 20 of the Minneapolis Code of Ordinances relating to Zoning Code.

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That the definitions for "Cluster development" and "Intentional community" contained in Section 520.160 of Chapter 520, Introductory Provisions, be amended to read as follows:

520.160. – Definitions. Unless otherwise expressly stated, or unless the context clearly indicates a different meaning, the words and phrases in the following list of definitions shall, for the purposes of this zoning ordinance, have the meanings indicated. Additional definitions may be found within specific chapters of this zoning ordinance. All words and phrases not defined shall have their common meaning.

Cluster development. A unified development of not less than three (3) dwelling units or rooming units, either attached or detached, in which one (1) or more principal buildings are grouped together in order to preserve common space for the benefit of the residents of the development. Cluster development allows flexibility in the location of residential structures and the size of individual lots in order to encourage a variety of housing types and the efficient use of land. Rooming units shall only be allowed as part of intentional community cluster developments.

Intentional community. A group of two (2) or more persons living together as a single household, sharing in the management of resources and household expenses, that meets the requirements of Chapter 244, Housing Maintenance Code. An intentional community shall share an entire dwelling unit and may not function as a rooming house unless it is part of an intentional community cluster development.

Section 2. That Section 520.160 contained in Chapter 520, Introductory Provisions, be amended by adding thereto a new definition for “Intentional community cluster development” in alphabetical sequence to read as follows:

Intentional community cluster development. An establishment operated by a non-profit organization, government agency, or healthcare agency, which includes dwelling units or rooming units and a common building with shared facilities.

Section 3. That the development standard for “Cluster development” contained in Section 536.20 of Chapter 536, Specific Development Standards, be amended to read as follows:

536.20. – Specific development standards. The uses listed below are subject to the following specific development standards, in addition to all other applicable regulations:

Cluster development.

(1) Any application for cluster development approval shall include a development plan which shall consist of a statement of the proposed use of all portions of the land to be included in the cluster development and a site plan showing all existing and proposed development, including but not limited to the location of structures, parking areas, vehicular and pedestrian access, open space, drainage, sewerage, fire protection, building elevations, landscaping, screening and bufferyards, and similar matters, as well as the location of existing public facilities and services.

(2) All land proposed for cluster development shall be platted or replatted into one or more lots suitable for cluster development, and as such shall comply with all of the applicable requirements contained in Chapter 598, Land Subdivision Regulations.

(3) The cluster development shall meet the minimum lot area and lot width requirements of the zoning district. There shall be no minimum lot area or lot width requirements for individual lots within the cluster development.

(4) Yards of at least such minimum width as required by the zoning district shall be maintained along the periphery of the cluster development. Yards for individual lots within the cluster development shall not be required. The distance between principal buildings within the cluster development shall be not less than ten (10) feet.

(5) Not less than forty (40) percent of the land in a cluster development shall be designated as common space for the benefit of all of the residents of the development. Such common space shall be a contiguous area under common ownership or control and shall be located so that it is directly accessible to the largest practical number of dwellings within the development. Safe and convenient pedestrian access shall be provided to such common space for dwellings not adjoining such space. Common space shall include but is not limited to landscaped yards, recreation areas, wetlands, waterbodies and common parking facilities. However, not more than one-half (1/2) of required common space shall consist of such parking facilities, driveways and private roadways. The city planning commission may approve alternatives to this requirement where strict adherence is impractical because of site location or conditions and the proposed alternative meets the intent of this section.

(6) To the extent practical, all new construction or additions to existing buildings shall be compatible with the scale and character of the surroundings, and exterior building materials shall be harmonious with other buildings in the neighborhood. Not less than eighty (80) percent of the habitable floor area of single or two-family dwellings and multiple-family dwellings of three (3) and four (4) units shall have a minimum width of twenty-two (22) feet. Cluster developments not otherwise governed by Chapter 530, Site Plan Review, shall comply with the principal entrance and windows requirements of Chapter 535, Regulations of General Applicability. The city planning commission may approve alternatives to this requirement where strict adherence is impractical because of site location or conditions and the proposed alternative meets the intent of this section.

(7) An appropriate transition area between the use and adjacent property shall be provided by landscaping, screening and other site improvements consistent with the character of the neighborhood.

(8) Any cluster development which includes a manufactured home park shall be first allowed in the R2 District.

(9) Notwithstanding any provision to the contrary, intentional community cluster developments shall be subject to the following additional development standards. Where these standards conflict with the standards above, the more specific standards below shall apply to intentional community cluster developments.

a. Intentional community cluster developments shall be allowed as a conditional use in any zoning district where both cluster developments and intentional communities are allowed. In any zoning district where one of the uses is not allowed, intentional community cluster developments shall not be allowed.

b. All units in an intentional community cluster development shall be subject to site plan review standards for any building or use containing four (4) or more new additional dwelling units or rooming units.

c. An intentional community cluster development that includes rooming units without kitchens or restrooms shall provide a common building on the same zoning lot that provides a shared kitchen, toilets, showers, and gathering space. The common building shall be the nearest structure to the front lot line and shall not count toward the common space requirement for cluster developments. Safe and convenient pedestrian access shall be provided to the common building for dwellings and rooming units not adjoining such space. Such access shall not exceed two hundred (200) feet as measured from the door of each unit within the development.

d. Where required, the common building shall have a minimum gross floor area of five hundred (500) square feet and a minimum width of eighteen (18) feet.

e. The minimum gross floor area and minimum width of an individual dwelling unit or rooming unit in an intentional community cluster development shall be as approved by the conditional use permit authorizing the use, subject to requirements in the building code.

f. A minimum lot area of six hundred and fifty (650) square feet per bed shall be provided in the R1, R1A, R2, and R2B Districts and a minimum lot area of three hundred and twenty-five (325) square feet per bed shall be provided in all other districts where intentional community cluster developments are allowed, provided that in no instance shall the minimum lot area be less than ten thousand (10,000) square feet.

g. The operator shall submit a management plan for the facility and a floor plan and site plan showing sleeping areas, emergency exits, bathing and restrooms, storage, security, and crime prevention through environmental design.

h. Intentional community cluster developments shall not be required to provide off-street vehicle parking or loading. One (1) bicycle parking space per four (4) beds shall be provided. Not less than ninety (90) percent of the required bicycle parking shall meet the standards for long term bicycle parking.

i. Sufficient storage shall be provided for each dwelling unit or rooming unit. Such storage shall be separate and distinct from the habitable area of the units to prevent outdoor storage of personal belongings.

j. Intentional community cluster developments may include manufactured or prefabricated structures as approved or permitted by the building code.

k. Except for minimum lot area, the City Planning Commission may approve alternatives to requirements for intentional community cluster developments where strict adherence is impractical because of site location or conditions and the proposed alternative meets the intent of the requirements.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Bender, Schroeder, Palmisano (10)

Noes: (0)

Absent: Cunningham, Cano, Johnson (3)

Adopted.

REPORTS OF SPECIAL COMMITTEES

The EXECUTIVE Committee submitted the following report:

Jenkins moved to receive and file and refer to the Transportation & Public Works Committee the reappointment by the Executive Committee of Robin Hutcheson to the appointed position of Director of Public Works for a two-year term beginning Jan 2, 2020, for the setting of a public hearing.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Bender, Schroeder, Palmisano (10)

Noes: (0)

Absent: Cunningham, Cano, Johnson (3)

Adopted.

Jenkins moved to refer to the Ways & Means Committee the appointed position of Director Investments and Debt Management, and the associated salary ordinance for the position.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Bender, Schroeder, Palmisano (10)

Noes: (0)

Absent: Cunningham, Cano, Johnson (3)

Adopted.

NOTICE OF ORDINANCE INTRODUCTIONS

Goodman gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 22, Chapter 598 of the Minneapolis Code of Ordinances relating to Land Subdivision: Land Subdivision Regulations, amending Article V, Parkland Dedication, to modify the definition of “affordable housing units” to address inclusionary zoning units and projects using income averaging.

RESOLUTIONS

Resolution 2019R-391 honoring Diane Loeffler was adopted.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2019R-391

**By Reich, Gordon, Fletcher, Ellison, Cunningham, Warsame,
Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, and Palmisano**

Honoring Diane Loeffler.

Whereas, Diane Loeffler, a lifelong resident of Northeast Minneapolis, passed from this life on Saturday November 16, 2019, concluding her many years of extraordinary leadership, public service, and community activism; and

Whereas, Diane Loeffler was a graduate of Edison High School and Augsburg University, studied at the University of Minnesota and developed a passion for public policy as a community advocate, a staff person for the City, Hennepin County, the State of Minnesota and the League of Minnesota Cities, and as a member of the Minnesota House of Representatives from House District 60A; and

Whereas, Diane Loeffler was active in her neighborhood by serving on several local organizations and committees including Central Avenue Planning Committee, the Northeast Libraries Supporters, and Windom Park Citizens in Action; and

Whereas, Diane Loeffler served in the Minnesota House of Representatives from 2004 to 2019; during most of her legislative years she was a member of committees that had jurisdiction over taxes and human services and was an assistant majority leader; and

Whereas, during her service in the Minnesota House of Representatives, Diane Loeffler was dedicated to helping Minnesotans who are the most vulnerable and from her life experiences understood that government policies could open opportunities as a way of improving people's lives; authored legislation related to health care, children, the elderly, property tax relief, and local issues; and

Whereas, Diane Loeffler, as a member of the City's legislative delegation, authored legislation related to public finance and local building projects including parks and trails and bridges and the protection of the Mississippi River habitat; and

Whereas, Diane Loeffler throughout her career took time to support and mentor new leaders at the neighborhood, city, regional and state level and hopefully passing on her enthusiasm for public service; and

Whereas, Diane Loeffler was considered by her fellow legislators to have an in-depth knowledge of a variety of topics, was passionate in her work and considered to be a fierce advocate and a powerhouse, and a supplier of fresh flowers from her garden for fellow legislators;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the Mayor and City Council hereby present this Honorary Resolution to celebrate the life of Diane Loeffler and to honor her many contributions to the City of Minneapolis and the State of Minnesota during a lifetime of incredible service.

That the Mayor and City Council extend their heartfelt condolences to the family and friends of Diane Loeffler, together with their best wishes in hopes that they take comfort from her life of purpose, service, and joy.

MOTIONS

Gordon moved to discharge the Housing Policy & Development Committee from further consideration of the subject matter of an ordinance amending Title 12, Chapter 244 of the Code of Ordinances relating to Housing: Maintenance Code, amending provisions related to occupancy, which was referred to the Economic Development & Regulatory Services Committee.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Ellison, Warsame, Goodman, Jenkins, Bender, Schroeder, Palmisano (10)

Noes: (0)

Absent: Cunningham, Cano, Johnson (3)

Adopted.

ADJOURNMENT

On motion by Jenkins, the meeting was adjourned to Room 315, City Hall, for the purpose of discussing labor contract negotiations and the litigation matters of *Soo Line v. City of Minneapolis, et al*; and *City of Minneapolis v. Purdue Pharma L.P., et al*.

ADJOURNED SESSION

Council President Bender called the adjourned session to order at 10:22 a.m. in Room 315, a quorum being present.

Interim City Attorney Erik Nilsson stated that the meeting may be closed as permitted by the Minnesota Open Meeting Law to discuss labor negotiations and strategies; and attorney-client communications and/or settlement possibilities regarding the legal matters of *Soo Line v. City of Minneapolis, et al*; and *City of Minneapolis v. Purdue Pharma L.P., et al*.

At 10:25 a.m., on motion by Bender, the meeting was closed pursuant to Minnesota Statutes Section 13D.03 to discuss labor negotiation and strategies, and Section 13D.05, Subdivision 3(b) to discuss the litigation matters of *Soo Line v. City of Minneapolis, et al*; and *City of Minneapolis v. Purdue Pharma L.P., et al*.

Present – Council Members Kevin Reich (Out at 11:22 a.m.), Cam Gordon (Out at 11:15 a.m.), Steve Fletcher (Out at 11:20 a.m.; In at 11:22 a.m.), Jeremiah Ellison, Abdi Warsame (In at 10:28 a.m.), Lisa Goodman (Out at 11:15 a.m.), Andrea Jenkins, Jeremy Schroeder, Linea Palmisano, President Lisa Bender.

Absent: Council Members Phillipe Cunningham, Alondra Cano, Andrew Johnson.

Also Present – Mayor Jacob Frey; Erik Nilsson, Interim City Attorney; Assistant City Attorneys Tracey Fussy, Greg Sautter (Out at 10:31 a.m.), Sarah McLaren (Out at 10:42 a.m.), and Rebecca Krystosek (Out at 10:42 a.m.), City Attorney's Office; Scott Benson, Esq. (Out at 10:31 a.m.), Mark Briol, Esq. (Out at 10:31 a.m.), and Mary Cate Cicero, Esq. (Out at 10:31 a.m.), Briol & Benson, PLLC; Mark Ruff (In at 10:42 a.m.), Interim City Coordinator; Deputy Chief Henry Halvorsen (In at 10:42 a.m.), Police Department; Brian Walsh (In at 10:31 a.m.; Out at 10:42 a.m.), Civil Rights Department; Laura Davis (In at 10:42 a.m.), Human Resources Department; Casey Joe Carl, City Clerk; and Jackie Hanson, City Clerk's Office.

Benson and Nilsson summarized the *City of Minneapolis v. Purdue Pharma L.P., et al*. lawsuit from 10:26 a.m. to 10:31 a.m.

McLaren summarized the *Soo Line v. City of Minneapolis* lawsuit from 10:31 a.m. to 10:42 a.m.

Davis provided an update on labor negotiations and strategies from 10:42 a.m. to 11:38 a.m.

At 11:38 a.m., on motion by Jenkins, the meeting was opened.

By unanimous consent, no action was taken with respect to labor negotiations and the *City of Minneapolis v. Purdue Pharma L.P., et al*. lawsuit.

COUNCIL ACTION 2019A-0992

Jenkins moved to approve settlement of all claims, including claims for attorneys' fees and costs, asserted in *Soo Line Railroad Company d/b/a Canadian Pacific v. City of Minneapolis, et al.*, District of Minnesota Court File No. 19-cv-02093 (DWF/ECW), without monetary payment, and with the understanding that the City will not enforce its Sick and Safe Time ordinance against Plaintiff due to federal preemption under current law. Further, that the City Attorney's Office be authorized to execute any documents necessary to effectuate this settlement.

On roll call, the result was:

Ayes: Fletcher, Ellison, Warsame, Jenkins, Bender, Schroeder, Palmisano (7)

Noes: (0)

Absent: Reich, Gordon, Cunningham, Goodman, Cano, Johnson (6)

Adopted.

The adjourned session of the City Council meeting was tape recorded with the tape on file in the office of the City Clerk.

On motion by Jenkins, the meeting was adjourned at 11:40 a.m. to December 4, 2019, at 6:05 p.m. in Room 317, City Hall, for the purpose of receiving public comment on the proposed 2020 budget and tax levy; the Fiscal Year 2020 Consolidated Plan; and the proposed water and sewer rates.

Casey Joe Carl,
City Clerk